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UNIVERSITY OF CALIFORNIA

BAY AREA AIR QUALITY MANAGEMENT DISTRICT  
939 Ellis Street  
San Francisco, California 94109  
771-6000

BOARD OF DIRECTORS REGULAR MEETING

Wednesday  
January 9, 1980  
9:30 A.M.

939 Ellis Street  
San Francisco  
California 94109

M I N U T E S

BOARD MEMBERS PRESENT:

Edward J. Bacciocco, Jr.,  
Barbara Boxer, Sam Chapman,  
Fred F. Cooper, Ralph P.  
Doetsch, Sr., Thomas J.  
Ferrito, Eric H. Hasseltine,  
Pamela Ketcham, Quentin Kopp,  
L. N. "Judge" Landis, Frank  
H. Ogawa, Valerie Raymond,  
Verne L. Roberts, Helen B.  
Rudee, Carol Ruth Silver.

BOARD MEMBERS ABSENT:

Larry Asera, Dominic L.  
Cortese, Daniel A.  
McCorquodale.

ADVISORY COUNCIL MEMBER PRESENT:

Jack C. Oppenheimer,  
Chairperson; Kong  
Meng Tan.

STAFF MEMBERS PRESENT:

Milton Feldstein, Thomas  
F. Bell, Hulan F. Brinkley,  
Laurence Chaset, Daniel  
Goalwin, Richard W. Grieves,  
Peter Hess, Dario A. Levaggi,  
Edward W. McHugh, John  
Phillips, John F. Powell,  
Lewis H. Robinson, Mabel  
Harder.

Chairperson Boxer called the meeting to order at 9:50 A.M.

PUBLIC PRESENTATION

There was none.

Mrs. Rudee arrived at 9:55 A.M.

COMMUNICATIONS  
Thomas J. Ferrito, Secretary

The following communications were presented:

J. R. Atwell  
Administration Manager  
Kaiser Aluminun & Chemical Corporation

expressing objections to the compliance date in Regulation 16,  
§8-14-41.3.

Jeff Gabe  
Citizens for a Better Environment

expressing concern that a thorough and comprehensive review is not being given the permit application of Sanitary Fill Company to construct a garbage burning power plant, and urging the Board to support the Staff in its efforts to conduct a complete and accurate review of the project.

Douglas A. Cook  
Manager, Environment and Energy  
Memorex Corporation

suggesting modification to Regulation 8, Rule 19- Coating of Miscellaneous Metal Parts and Products to insure that the Regulation does not apply to metal disc coating operations at Memorex Corporation.

Eva R. Glazer, M.D.  
Epidemiological Studies Laboratory Section  
Department of Health Services

commenting on the report of the Public Health Committee.

Thomas C. Austin  
Executive Officer  
ARB

advising that the final subvention application No. 90-79/80 had been approved.

## DIVISION MONTHLY REPORTS

The following reports were presented:

Director of Enforcement, Monthly Activity Report for December 25, 1979; Director of Permit Services Monthly Activity Report, November 21, 1979 to December 20, 1979, dated December 24, 1979; Director of Technical Services Monthly Activity Report, November 21, 1979 through December 18, 1979, dated December 20, 1979; Director of Planning Monthly Activity Report, November 21, 1979 through December 20, 1979, dated December 27, 1979; Director of Public Information Monthly Report, November 29, 1979-December 28, 1979, dated December 28, 1979; Status of Legal Matters-November 27, 1979 to December 20, 1979; Director of Administrative Services Appropriation Statement and Cash Position, November 30, 1979.

## APPROVAL FOR OUT-OF-STATE TRAVEL

The APCO's report entitled, Approval of out-of-State Travel, dated January 3, 1980 was presented.

## REPORT OF REFUNDS

The APCO's report entitled, Refunds, dated January 3, 1980 was presented.

## SET PUBLIC HEARING FOR MARCH 5, 1980 TO CONSIDER CHANGES TO MANUAL OF PROCEDURES

The APCO's report entitled, Public Hearing for Manual of Procedures, dated January 3, 1980 was presented.

## SET THE FOLLOWING PUBLIC HEARING TO CONSIDER CONTROL OF VOLATILE ORGANIC COMPOUND EMISSIONS

March 5, 1980 - Manufacture of Pneumatic Rubber Tires (Reg. 8, Rule 21).

March 5, 1980 - Valves and Flanges at Chemical Plants. (Reg. 8, Rule 22).

April 2, 1980 - Surface Coating of Flatwood Paneling (Reg. 8, Rule 23).

April 2, 1980 - Manufacture of Synthesized Pharmaceutical Products (Reg. 8, Rule 24).

May 7, 1980 - Pump and Compressor Seals at Petroleum Refineries (Reg. 8, Rule 25).

May 7, 1980 - Magnetic Wire Coating (Reg. 8, Rule 26).

The APCO's report entitled, Public Hearing for VOC Regulations, dated January 3, 1980 was presented.

SET PUBLIC HEARING FOR FEBRUARY 20, 1980 TO AMEND REGULATIONS 2 and 3 RELATING TO CONSIDERATIONS FOR ALTERNATIVE SITING MODELING FOR NO<sub>x</sub> AND TO ESTABLISH BANKING FEES

The APCO's report entitled, Set Public Hearing for Regulations 2 and 3, dated January 3, 1980, was presented.

APPROVAL OF REDEVELOPMENT LEASE

The APCO's report entitled, Approval of Redevelopment Lease, dated January 3, 1980 was presented.

Adopted Resolution No. 1191, In The Matter of Authorizing the Air Pollution Control Officer to Execute a Lease with the San Francisco Redevelopment Agency.

Mr. Chapman moved the approval of the above Consent Calendar items; seconded by Mr. Ogawa; carried on roll call:

AYES:           BACCIOLLO, BOXER, CHAPMAN, DOETSCH, KETCHAM, FERRITO, LANDIS, OGAWA, RAYMOND, ROBERTS, RUDEE.

NOES:           NONE

ABSENT:          ASERA, COOPER, CORTESE, HASSELTINE, KOPP, McCORQUODALE, SILVER.

REPORT OF EXECUTIVE COMMITTEE  
Barbara Boxer, Chairperson

Chairperson Boxer reported the Committee met prior to the Board meeting at which it discussed the renewal of the contract for Mr. Jerry Desmond, and that it would make its recommendations at a future meeting.

Chairperson Boxer advised that the Committee recommends that Director Doetsch be appointed to the State Sandblasting Committee, and Mr. Chapman so moved; seconded by Mr. Ogawa; carried.

Chairperson Boxer stated the Committee recommends that the vehicle mileage be increased to a flat 20¢ a mile, and that the Administrative Code be so amended at the next Board meeting, and Dr. Bacciocco so moved; seconded by Mr. Doetsch; carried.

Chairperson Boxer stated the Board meeting scheduled for January 16, 1980 would be cancelled.

CONTINUATION OF PUBLIC HEARING TO CONSIDER CONTROL OF EMISSIONS  
FROM MISCELLANEOUS METAL PARTS COATING OPERATIONS  
(Reg. 8, Rule 19)

Mr. Phillips outlined the APCO's report entitled, Proposed Regulation 8, Rule 19- Control of VOC Emissions from Surface Coating of Miscellaneous Metal Parts and Products, dated January 3, 1980.

A letter from Mr. Douglas A. Cook  
Manager, Environment and Energy  
Memorex Corporation  
dated December 28, 1979 was presented.

Chairperson Boxer opened the public hearing at 9:47 A.M.  
There were no presentations.

Dr. Hasseltine arrived at 9:58 A.M.

Dr. Bacciocco moved that the hearing be closed at 9:59 A.M.; seconded by Mr. Ogawa; carried.

Mr. Landis moved the adoption of Resolution No. 1192, In the Matter of Adopting Regulation 8 - Rule 19 Relating to the Surface Coating of Miscellaneous Metal Parts and Products; seconded by Mr. Chapman; carried on roll call:

AYES:           BACCIOCO, BOXER, CHAPMAN, DOETSCH, FERRITO  
                  HASSELTINE, KETCHAM, LANDIS, OGAWA, RAYMOND,  
                  ROBERTS, RUDEE.

NOES:           NONE

ABSENT:          ASERA, COOPER, CORTESE, KOPP, McCORQUODALE,  
                  SILVER.

Mr. Kopp arrived at 10:00 A.M.

REPORT OF AIR POLLUTION CONTROL OFFICER  
Milton Feldstein

Status Report on SO<sub>2</sub> Study

Mr. Robinson reported that Phase I was completed and the report entitled, San Francisco Bay Area SO<sub>2</sub> Study had been received; that Phase II with respect to regulatory scenario evaluation could not proceed because additional funding is necessary; that Dames and Moore has provided a revised cost estimate for Phase II and the Staff has held meetings to re-negotiate the funding.

Mr. Feldstein requested that the public hearing on SO<sub>2</sub> scheduled for February 6, 1980 be continued to June 4, 1980.

After the discussion, Mr. Ogawa moved to continue the public hearing on the SO<sub>2</sub> regulation scheduled for February 6, 1980 to sometime in June 1980; seconded by Dr. Bacciocco.

In discussion, Mr. Feldstein advised that Phase II would cost approximately \$70,000 and take 3-4 months to complete.

Eveleth Hayden  
Executive Director  
BALIA

advised that this matter had high priority but because of the refinery strike the meeting of their Committee had been cancelled.

Mr. Powell outlined the lawsuit filed by several companies against the ARB and District regarding the SO<sub>2</sub> regulation adopted; that the court has issued a Stay until a decision is reached.

The motion carried.

Mr. Feldstein advised that a workshop on Resource Derived Fuel Operations had been held; that a workshop on Cogeneration would be held on January 18, 1980.

Mr. Feldstein requested approval for Mr. Gale Karels to travel to Washington D.C. to attend an EPA sponsored meeting on emission monitoring, at no cost to the District. Mr. Chapman so moved; seconded by Mr. Ferrito; carried.

Mr. Feldstein requested that the public hearing on Lightering Operations scheduled for March 5, 1980 be cancelled because of legislation prohibiting the District from enacting such legislation until a report is made to the State Legislature in July 1981 with respect thereto. Dr. Hasseltine so moved; seconded by Mr. Roberts; carried.

CHAIRPERSON'S REPORT  
Barbara Boxer

Chairperson Boxer advised that it is planned that a Special Board meeting would be held in Sacramento on February 14, 1980 in order that the Directors could meet with the State Legislators, and she requested the Directors to advise Mr. Feldstein if they can attend.

Mr. Cooper and Ms. Silver arrived at 10:15 A.M.

Chairperson Boxer advised that she had received a letter from Mrs. Mary Nichols, ARB, requesting that the Board meet with them each quarter. After discussion, she appointed Director Landis to the Ad Hoc Committee for Closer Liaison with ARB and stated that Directors Cooper, Hasseltine and Raymond would be called to serve on the Committee on an ad hoc basis.

Mr. Ferrito stated that the meeting of the Personnel Committee scheduled for February 6, 1980 would be put over until February 20, 1980, after the Board meeting.

Mr. Powell introduced Mr. Laurence Chaset, the new Assistant Counsel.

REPORT OF PUBLIC HEALTH COMMITTEE  
Dr. Kong Meng Tan, Chairperson

Dr. Tan presented his report entitled, Public Health Committee Report on Study Being Conducted by the California State Department of Health on Health Effects of the Petrochemical Industry, dated January 2, 1980.

A letter from Dr. Eva Glazer  
Epidemiological Studies Laboratory Section  
Department of Health Services  
dated January 7, 1980 commenting on the Public Health Committee Report was presented.

After discussion, Mr. Cooper requested that the Staff determine how the DHS plans to release the results of the study and when, and advise the Board.

PUBLIC COMMENTS

Chairperson requested this agenda item be renamed, Board Concerns.

Ms. Silver referred to the communication received from Citizens for a Better Environment concerning the permit application of Sanitary Fill Company, Mr. Feldstein responding that the Staff has not reached a decision because of questions needing a response from the Applicant, but that no pressures were being put on the Staff with respect thereto.

OTHER

The following reports were presented:

Pending Referral from Board of Directors, dated December 5, 1979.

Board Referrals to Advisory Council dated December 5, 1979.

A communication to Mr. Feldstein from Mr. Michael Barr, Pillsbury Madison & Sutro, dated January 8, 1980, regarding the recodified New Source Review Rule was presented to the Board.

TIME AND PLACE OF NEXT MEETING

9:30 A.M., Wednesday February 6, 1980, 939 Ellis Street, San Francisco, California.

The meeting adjourned at 10:25 A.M.

Respectfully submitted,

Mabel Harder  
Clerk of the District

MH:js

January 28, 1980

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BAY AREA AIR QUALITY MANAGEMENT DISTRICT  
939 Ellis Street  
San Francisco, California 94109

TO: MEMBERS OF THE BOARD OF DIRECTORS  
FROM: CHAIRPERSON OF THE EXECUTIVE COMMITTEE  
SUBJECT: ALLOWABLE EXPENSES FOR VEHICLE MILEAGE

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At the Executive Committee meeting of January 9, 1980, the Committee discussed the matter of allowable expenses for vehicle mileage and accepted the APCO recommendation that the allowance be increased to a flat 20¢ per mile.

The Board announced on January 9, 1980 that the District Administrative Code will be considered for amendment on February 6, 1980 to incorporate this change. The Executive Committee recommends the Board approve such amendments to Sections 12.1 and 12.4 of the Administrative Code.

Attached is a copy of a survey conducted in early December, 1979.

Also attached are the appropriate sections of the Administrative Code indicating the proposed changes.

MF:js

BAY AREA AIR QUALITY MANAGEMENT DISTRICT  
939 Ellis Street  
San Francisco, California 94109

TO: TOM BELL  
FROM: PEGGY McKINNEY  
SUBJECT: PERSONAL VEHICLE MILEAGE

DATE: DECEMBER 10, 1979

In checking with the finance departments of the list below, I was given the following rate of mileage on the use of personal vehicles.

C.&C. OF SAN FRANCISCO	-	a flat 18¢ a mile
SANTA CLARA COUNTY	-	22¢ first 300, 17¢ thereafter
SAN MATEO COUNTY	-	a flat 17¢ a mile
ALAMEDA COUNTY	-	a flat 20¢ a mile
MARIN COUNTY	-	a flat 22¢ a mile
SONOMA COUNTY	-	a flat 23¢ a mile
CONTA COSTA COUNTY	-	20¢ first 400, 14¢ thereafter
NAPA COUNTY	-	19-½¢ first 300, 16-½¢ thereafter
SOLANO COUNTY	-	19-1/2¢ first 300, 17¢ up to 900
ABAG	-	a flat 15¢

pm

## SECTION 12. ALLOWABLE EXPENSES

§ 12.1 Directors shall be reimbursed for actual and necessary expenses incurred by them in the performance of their duties, and for travel incurred by them in the performance of their duties, and for travel expenses outside of the District when authorized by the Board of Directors. Directors shall be reimbursed for mileage at twenty 20 the rate of fifteen cents (15¢) per mile for the first three-hundred (300) miles traveled each month, and thirteen cents (13¢) per mile thereafter. Mileage shall be allowed to Directors for meetings of the Board of Directors and for committee meetings from their homes to the office of the District or to such other place as the meeting of the Directors or the committee may be held. Necessary incidental expenses shall include all reasonable charges for bridge tolls and for parking of automobile.

§ 12.2 The Board of Directors are authorized to include meals in their expenses when such expenses occur as a result of attendance at Board, committee or other authorized function. Meal expenses are also authorized for members of the Board, the Advisory Council, and the District staff when such meal expenses are necessarily incurred in the course of meetings or hearings of the Board, the Advisor, Council, or any committee or subcommittee thereof.

§ 12.3 Actual and necessary incidental expenses in attendance at other meetings or on direction of the Board, or in conference on District business with qualified persons, shall be allowed as expenses to these officers of the District: Chairperson, Vice-Chairperson, Secretary, Air Pollution Control Officer.

§ 12.4 Employees shall be reimbursed for actual and necessary expenses incurred by them in the performance of their duties.

(a) Employees shall be reimbursed for mileage at the rate of fifteen cents (15¢) per mile for the first three hundred (300) miles traveled each month, and thirteen cents (13¢) per mile thereafter, plus necessary bridge tolls and parking charges. Mileage will ordinarily be computed from the District office, except where point of origin is more accessible to the employee and not costlier to the District, mileage may be computed on such basis.

(b) Travel of employees outside the District area on official business, but within the State shall be at the direction of the Air Pollution Control Officer and with prior specific approval. Travel of employees on official business outside the State shall be on the recommendation of the Air Pollution Control Officer and prior specific approval of the Executive Committee of the Board.

(c) Employees attending meetings, hearings, or conferences with qualified persons at the direction of the Air Pollution Control Officer in an official capacity will be allowed actual and necessary incidental expenses incurred in connection with such attendance.

(d) Travel outside the State shall be in accordance with the policy of the Board of Directors and with the prior specific approval of a majority of the Executive Committee of the Board.



BAY AREA  
AIR QUALITY MANAGEMENT DISTRICT

939 Ellis Street  
San Francisco, California 94109

JACK LEISTER  
HEAD LIBRARIAN - IGS  
UNIVERSITY OF CA  
109 MOSES HALL  
BERKELEY CA

94720

M

FIRST CLASS MAIL

BAY AREA AIR QUALITY MANAGEMENT DISTRICT  
939 Ellis Street  
San Francisco, California 94109  
771-6000

BOARD OF DIRECTORS REGULAR MEETING

Wednesday  
February 6, 1980  
9:30 A.M.

939 Ellis Street  
San Francisco  
California 94109

M I N U T E S

BOARD MEMBERS PRESENT:

INSTITUTE OF GOVERNMENTAL  
STUDIES LIBRARY

FEB 20 1980

UNIVERSITY OF CALIFORNIA

Edward J. Bacciocco, Jr.,  
Barbara Boxer, Sam Chapman,  
Fred Cooper, Dominic L.  
Cortese, Eric H. Hasseltine,  
Pamela Ketcham, Quentin Kopp,  
L.N. "Judge" Landis, Daniel  
A. McCorquodale, Frank H.  
Ogawa, Valerie Raymond,  
Verne L. Roberts, Helen B.  
Rudee, Carol Ruth Silver.

BOARD MEMBERS ABSENT:

Larry Asara, Ralph P.  
Doetsch, Sr., Thomas J.  
Ferrito.

HEARING BOARD MEMBER PRESENT:

Kenneth A. Manaster,  
Chairperson.

ADVISORY COUNCIL MEMBER PRESENT:

Jack C. Oppenheimer,  
Chairperson.

STAFF MEMBERS PRESENT:

Milton Feldstein, Thomas F.  
Bell, Hulan F. Brinkley,  
Daniel Goalwin, Peter Hess,  
Terry Lee, Dario A. Levaggi,  
Edward W. McHugh, John  
Phillips, John F. Powell,  
Lewis H. Robinson, Mabel  
Harder.

- - -

Chairperson Boxer called the meeting to order at 9:45 A.M.  
A quorum was not present.

PUBLIC PRESENTATION

Mrs. Jean Siri  
West Contra Costa County Conservation League  
Gray Panthers of Contra Costa County

in her comments stated that there were too few enforcement personnel.

Mr. Kopp arrived at 9:50 A.M. A quorum was now present.

Mrs. Ketcham arrived at 9:51 A.M.

Mrs. Siri reviewed the odor episode during the past few weeks and the news reports thereon; that she found it necessary to appeal the APCO's decision with respect to the Wickland Oil Company terminal trade-off requirement; that the area for the proposed terminal could not stand any more oil pollution; suggested that the same standards for new refineries apply to old refineries; that every up-set should be considered a violation; that Standard Oil has had thirty-five violation breakdowns since March but that the District knew of only eight, and suggested that the breakdown regulation be amended; that larger penalties could provide funds for more inspectors; that the Board should reorder the priorities of the District.

Mr. Ogawa arrived at 9:55 A.M.

Mr. Feldstein in response, referred to his report entitled, Odor Episode in the Richmond Area on January 23, 1980, dated January 31, 1980, which Mr. Brinkley reviewed, making a correction in paragraph 1, line 6, to read, "at 11:00 A.M. . . ." He stated that the Staff had an office conference with Chevron personnel and that corrective action will be taken; that it is proposed that there be six additional enforcement persons in the field in 3-4 months.

Mr. Feldstein reviewed the history of the break-down regulation, after which Chairperson Boxer requested that the matter be agenda-dized in two months for review.

APPROVAL OF MINUTES OF JANUARY 9, 1980

COMMUNICATIONS  
Thomas J. Ferrito, Secretary

The following communications were received:

A Central Place  
Oakland

invitation to an open house on January 22, 1980.

Edwards Enterprise  
Visalia

information on their Humid-A-Cycle system.

Senator Alfred E. Alquist

declining invitation to lunch on February 14, 1980.

Affirmative Action Council

report January 1979 to January 1980.

Senator John F. Foran

declining the invitation to lunch on February 14, 1980.

Senator John A. Nejedly

accepting the invitation to lunch on February 14, 1980.

Bureau of the Census

1979 Survey of Local Government Finances - Special Agencies.

Senator Jim Nielsen

declining the invitation to lunch on February 14, 1980.

EPA

Environmental Information bulletin dated January 1980 entitled,  
Visibility Impairment.

Senator Marz Garcia

declining the invitation to lunch on February 14, 1980.

Charlotte Maggard  
City Clerk  
City of San Pablo

copy of Ordinance approving and adopting the amendment to  
the El Portal Community Redevelopment Project.

Assemblyperson William J. Filante  
accepting the invitation to lunch on February 14, 1980.

Victor H. Sussman  
Ford Motor Company  
Dearborn, Michigan

requesting clarification of the Minutes of December 19, 1979,  
with respect to his presentation.

Mary D. Nichols, Chairwoman  
ARB

suggesting a meeting on a quarterly basis and subcommittees  
from both Boards.

#### DIVISION MONTHLY REPORTS

The following were presented:

Director of Enforcement Monthly Activity Report for  
January 1980; Planning Division Monthly Activity Report,  
December 19, 1979 through January 22, 1980; Director of  
Permit Services Monthly Activity Report, December 21, 1979  
through January 20, 1980; Director of Technical Services  
Monthly Activity Report, December 20, 1979 through January  
22, 1980; Director of Public Information Monthly Activity  
Report, December 28, 1979-January 22, 1980; Status  
of Legal Matters; December 21, 1979 to January 23, 1980;  
Director of Administrative Services Appropriation Statement  
and Cash Position, December 31, 1979.

REPORT AND RECOMMENDATION OF EXECUTIVE COMMITTEE FOR  
ADMINISTRATIVE CODE AMENDMENT REGARDING VEHICLE MILEAGE ALLOWANCE

The Chairperson of the Executive Committee report entitled, Allowable Expenses for Vehicle Mileage, dated January 28, 1980, was presented. Adopted Resolution No. 1193, In The Matter Of Amending the Administrative Code.

RECOMMENDATION OF EXECUTIVE COMMITTEE FOR APPROVAL OF CONTRACT  
FOR LEGISLATIVE ADVOCATE

Chairperson Boxer's report entitled, Contract for Legislative Analyst, dated January 24, 1980 was presented.

SCHEDULED PUBLIC HEARING REGARDING SO<sub>2</sub>  
TO BE CONTINUED TO JUNE 4, 1980

SCHEDULED PUBLIC HEARING REGARDING GRAPHIC ARTS COATING OPERATIONS TO BE CONTINUED TO MARCH 19, 1980

The APCO's report entitled, Continuation of Public Hearings, dated January 28, 1980, was presented.

Dr. Bacciocco moved the approval of the above Consent Calendar Items; seconded by Mrs. Ketcham.

In discussion, Mrs. Rudee requested a correction in the Director of Enforcement Report under Violation Notices Issued in Sonoma County, to delete one located in San Leandro.

The motion then carried on roll call:

AYES:            BACCIOLLA, BOXER, CHAPMAN, CORTESE,  
                  KETCHAM, KOPP, LANDIS, McCORQUODALE,  
                  OGAWA, RAYMOND, ROBERTS, RUDEE.

NOES:            NONE

ABSENT:          ASERA, COOPER, DOETSCH, FERRITO, HASSELTINE, SILVER.

QUARTERLY REPORT OF HEARING BOARD

Kenneth A. Manaster, Chairperson

Mr. Manaster called attention to the report entitled, Hearing Board Quarterly Report-October 1, 1979-December 31, 1979, dated January 1, 1980. He outlined the Hearing Board's activities for the past year, stating that the number of complex cases is increasing. He reviewed the specific cases of Citizens for a Better Environment appeal with respect to the Kaiser Cement Company; APCO vs. North San Mateo County Sanitation District; and Citizens for a Better Environment appeal with respect to Wickland Oil Company.

In discussion, Mr. Powell advised that the Hearing Board did not have an attorney in connection with the appeal in Superior Court of the Hearing Board's decision on CBE's Appeal with respect to the Kaiser Cement Company because the Hearing Board is not a Real Party in Interest.

Mr. Cooper arrived at 10:10 A.M.

Mr. Manaster pointed out that CBE is representing the Hearing Board Order on some points and that Mr. Powell is representing some of the challenges to the District Regulations.

Mr. Monaster reviewed the two issues in the Wickland Oil Company case.

Dr. Hasseltine arrive at 10:15 A.M.

#### DISCUSSION OF BANKING PROVISION OF NEW SOURCE REVIEW RULE

Mr. Feldstein stated that at the February 20th Board meeting the Staff will be recommending establishing a Banking Fee and there will be a review of the guidelines on interpretation of the regulation.

#### Presentation by Tom Merle, Bay Area Council

Mr. Merle presented written comments dated February 6, 1980, reviewing the moratorium on withdrawals, stating it would be disruptive to the system, discriminatory and costly; did not favor a public hearing at this time but preferred to work with the Staff in the next twelve months to determine how the system works.

In discussion, Dr. Hasseltine stated that the concept of banking was good and should work, but having a provision that the credits could be wiped out in the future, discourages banking.

Mr. Merle reviewed his Recommended Amendment to Section 308, Regulation 2, Rule 2, dated December 19, 1979.

Ms. Silver arrived at 10:31 A.M.

#### Presentation By Jeff Gabe, Citizens for a Better Environment

Mr. Gabe in comments supported the concept of a moratorium, but expressed concern about the use of a private bank; that banking did not address the problem of new facilities coming into the area; he outlined the Wickland Oil Company trade-off need and the fact that these were not obtained in the area of the proposed plant, he proposed a community bank, which he outlined; expressed

concern over the provision of shut-downs being allowed as a banking emission reduction.

In discussion, Mr. Gabe stated he was suggesting twenty-five percent of the banking emissions be put in the community bank; that sources exempt from off-set emissions now would draw from the bank.

There was discussion on the community banking concept, Dr. Hasseltine pointing out that there was no incentive for sources to put any emissions in a community bank or in any bank if there is a moratorium provision. Mr. Gabe pointed out that the banking provisions could provide a source of profit off air pollution and that it provides a certified air pollution reduction.

Mr. Feldstein advised that after the Board adopts a banking fee on February 20, 1980, the bank would open; but he did not recommend any action be taken for at least six months in order to determine if the bank is viable.

After further discussion, Ms. Silver moved that the Board hold a public hearing on the Bay Area Council proposal, on April 16, 1980; seconded by Dr. Hasseltine.

Mr. Chapman moved an amendment to the motion to broaden the public hearing to add: right of public appeal, consideration of provision of shutdowns being allowed as banked emissions, and a community bank, which additions were acceptable to Ms. Silver.

After further discussion, the motion carried on roll call:

AYES: BACCIOLLO, CHAPMAN, COOPER, CORTESE,  
HASSELTINE, KETCHAM, MCCORQUODALE,  
RUDEE, SILVER.

NOES: BOXER, KOPP, LANDIS, OGAWA, RAYMOND,  
ROBERTS.

ABSENT: ASERA, DOETSCH, FERRITO.

REPORT OF AIR POLLUTION CONTROL OFFICER  
Milton Feldstein

Discussion of Co-Lead Agency Designation

Mr. Feldstein presented his report entitled, Lead Agency Designation for Air Quality Planning, dated February 6, 1980.

Mr. Kopp moved that the Board reaffirm its position taken in 1977, and request ARB to designate the District as Co-Lead Agency; seconded by Mr. Ogawa.

The following made presentations:

Dean Macris  
Associate Executive Director  
ABAG

in comments stated there had been a very productive joint staff arrangement; that MTC needs to be considered also; that the Letter of Agreement between the agencies terminates in June; that the process for making change is complicated in that the Governor's office needs to receive local government comments thereon; requested the matter be deferred a couple of months until ABAG, MTC, and District Staffs have had an opportunity to review the Letter of Agreement and until the ABAG Board has taken a position.

Paul Maxwell  
MTC Staff

in comments referred to the Letter of Agreement between the three agencies, stating that this needs to be discussed; requested action be postponed until such discussion can take place.

Mr. McCorquodale urged the Board not to take action today, stating the District should work the matter out with the other agencies, with which Mrs. Raymond agreed. Mr. Kopp stated he felt the District should be the lead agency in air quality planning, and Mr. Powell outlined the procedure for designation of lead agency. Mr. Chapman suggested a joint meeting between ABAG, MTC, and District Staffs stating that taking unilateral action today may upset the working relationship between the three agencies.

Mr. Kopp then amended his motion to authorize the Air Pollution Control Officer to request of ARB that the BAAQMD be Lead Agency, and moved to continue the motion to the Board's next meeting; seconded by Dr. Bacciocco; carried on roll call:

AYES: BACCIOCO, BOXER, COOPER, HASSELTINE,  
KOPP, LANDIS, OGAWA, ROBERTS.

NOES: CHAPMAN, CORTESE, KETCHAM, McCORQUODALE,  
RAYMOND, RUDEE, SILVER.

ABSENT: ASERA, DOETSCH, FERRITO.

Mr. Kopp left at 11:45 A.M.

Legislative Report

Mr. Feldstein reviewed his report entitled, Legislative Report, dated January 28, 1980, and a report entitled, Comparison of Estimated Emissions Under California and Federal Vehicle Emissions Standards, dated February 6, 1980. He urged the Board to oppose any effort to lessen California's authority for requiring more stringent automobile emissions standards and to reaffirm its position that there should be an I & M Program, pointing out that if the standards are relaxed the emissions resulting therefrom will have to be offset by further control on stationary sources.

After discussion, Mr. Landis moved that the District's legislative advocate, Mr. Jerry Desmond, be directed to oppose the proposed legislation with respect to automobile emission standards; seconded by Dr. Bacciocco; carried on roll call:

AYES:	BACCIOCO, BOXER, CHAPMAN, COOPER, CORTESE, HASSELTINE, KETCHAM, LANDIS, McCORQUODALE, OGAWA, RAYMOND, ROBERTS, RUDEE, SILVER.
NOES:	NONE
ABSENT:	ASERA, DOETSCH, FERRITO, KOPP.

Report on Status of S.I.P.

There was no report.

- - -

Dr. Bacciocco moved the adoption of Resolution No. 1194, In The Matter of Authorizing the Chairperson of the Board of Directors to Execute a Lease in an Amount Exceeding \$4,000; seconded by Mrs. Ketcham; carried on roll call:

AYES:	BACCIOCO, BOXER, CHAPMAN, COOPER, CORTESE, HASSELTINE, KETCHAM, LANDIS, McCORQUODALE, OGAWA, ROBERTS, RUDEE, SILVER.
NOES:	NONE
ABSENT:	ASERA, DOETSCH, FERRITO, KOPP, RAYMOND.

- - -

Mr. McHugh presented copies of the recodified regulations.

CHAIRPERSONS REPORT  
Barbara Boxer

Chairperson Boxer reminded the Directors of the luncheon meeting with the Legislators in Sacramento on February 14, 1980.

BOARD MEMBERS COMMENTS

There were none.

OTHER

The following reports were presented.

Pending Referrals from Board of Directors, dated January 10, 1980.

Board Referrals to Advisory Council, dated January 10, 1980.

TIME AND PLACE OF NEXT MEETING

Special Board of Directors meeting, Thursday, February 14, 1980, Sacramento; Board of Directors Regular Meeting, 9:30 A.M., Wednesday, February 20, 1980.

The meeting adjourned at 12:00 noon.

Respectfully submitted,

Mabel Harder  
Clerk of the District

MH:js



**BAY AREA  
AIR QUALITY MANAGEMENT DISTRICT**  
329 Ellis Street  
San Francisco, California 94109



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Feb 14, 1980

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939 Ellis Street  
San Francisco, California 94109  
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MAR 3 1980

BOARD OF DIRECTORS SPECIAL MEETING

Thursday  
February 14, 1980  
12:00 Noon

Ellis Restaurant  
Sacramento  
California

UNIVERSITY OF CALIFORNIA

M I N U T E S

BOARD MEMBERS PRESENT:

Edward J. Bacciocco, Jr.,  
Barbara Boxer, Sam Chapman.

BOARD MEMBERS ABSENT:

Larry Asera, Fred F. Cooper,  
Dominic L. Cortese, Ralph  
P. Doetsch, Sr., Thomas J.  
Ferrito, Eric H. Hasseltine,  
Pamela Ketcham, Quentin Kopp,  
L.N. "Judge" Landis, Daniel A.  
McCorquodale, Frank H. Ogawa,  
Valerie Raymond, Verne L.  
Roberts, Helen B. Rudee,  
Carol Ruth Silver.

LEGISLATORS PRESENT:

Senators Barry Keene, Milton  
Marks; Assemblypersons  
Tom Bates, Daniel Boatwright,  
Victor Calvo, William Filante,  
Tom Hannegan, John T. Knox,  
Allister McAllister, Leo T.  
McCarthy.

STAFF MEMBERS PRESENT:

Milton Feldstein, Edward W. McHugh,  
John F. Powell, Mabel Harder.

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Chairperson Boxer called the meeting to order at 12:00 Noon.

MEETING WITH STATE LEGISLATORS TO DISCUSS  
LEGISLATION AFFECTING AIR POLLUTION

General discussion concerning legislation ensued.

TIME AND PLACE OF NEXT MEETING

9:30 A.M., Wednesday, February 20, 1980, 939 Ellis Street, San Francisco, California.

The meeting adjourned at 1:30 P.M.

Respectfully submitted,

Mabel Harder  
Clerk of the District

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MAR 3 1980

UNIVERSITY OF CALIFORNIA

BAY AREA AIR QUALITY MANAGEMENT DISTRICT  
939 Ellis Street  
San Francisco, California 94109  
771-6000

BOARD OF DIRECTORS REGULAR MEETING

Wednesday  
February 20, 1980  
9:30 A.M.

939 Ellis Street  
San Francisco  
California 94109

M I N U T E S

BOARD MEMBERS PRESENT:

Edward J. Bacciocco, Jr.,  
Sam Chapman, Fred Cooper,  
Ralph P. Doetsch, Sr.,  
Thomas J. Ferrito, Eric  
H. Hasseltine, L.N. "Judge"  
Landis, Daniel A. McCorquodale,  
Frank R. Ogawa, Valerie Raymond,  
Verne L. Roberts, Carol Ruth  
Silver.

BOARD MEMBERS ABSENT:

Larry Asera, Barbara Boxer,  
Dominic L. Cortese, Pamela  
Ketcham, Quentin Kopp, Helen  
B. Rudee.

ADVISORY COUNCIL MEMBER PRESENT:

Jack C. Oppenheimer, Chairperson

STAFF MEMBERS PRESENT:

Milton Feldstein, Thomas F. Bell,  
Julian F. Brinkley, Daniel Goalwin,  
Richard Grieves, Peter Hess,  
Terry Lee, Dario Levaggi, Edward  
W. McHugh, John F. Powell, Lewis  
H. Robinson, Mabel Harder.

Vice Chairperson Bacciocco called the meeting to order at 9:45 A.M.

PUBLIC PRESENTATION

There were none.

APPROVAL OF MINUTES OF FEBRUARY 6 and 14, 1980

The minutes of February 14, 1980, were not available.

COMMUNICATIONS

Thomas J. Ferrito, Secretary

The following communications were presented:

Edwin E. Schoenberger  
Vice President  
Environmental Division  
TERA

requesting TERA Corporation be included among consultants which District might recommend.

John A. Nejedly  
Senator, 7th District

declining invitation to lunch on February 14.

Jarboe Legislative Letter

Stuart R. Pollak  
Howard, Prim, Rice, Nemirovski, Canady & Pollak

on behalf of Diamond Shamrock Corporation concerning the permit fees levied to Diamond Shamrock, requesting they be adjusted.

G. J. "Jan" Shepherd  
Executive Director  
Bay Area Fabricare Environment Council

requesting changes to proposed Regulation 8, Rule 17, §304.

REPORT OF TRANSFER OF FUNDS

The APCO's report entitled, Transfer of Funds, dated February 11, 1980, was presented.

### REPORT OF REFUNDS

The APCO's report entitled, Report of Refunds, dated February 11, 1980, was presented.

### REPORT ON REVISED CONFLICT OF INTEREST CODE

The APCO's report entitled, Conflict of Interest Code, dated February 11, 1980, was presented.

### APPROVAL FOR OUT-OF-STATE TRAVEL

The APCO's report entitled, Approval for Out-of-State Travel, dated February 14, 1980, was presented.

Mr. Ogawa moved the adoption of the above Consent Calendar Items; seconded by Mr. Doetsch; carried.

Mrs. Raymond arrived at 9:46 A.M.

### DISCUSSION OF CO-LEAD AGENCY DESIGNATION

Mr. Feldstein reviewed his report entitled, Co-Lead Agency Designation for Air Quality Planning - Continued Discussion, dated February 13, 1980.

Dr. Hasseltine arrived at 9:50 A.M.

In discussion, Mr. Feldstein stated that there was no indication that MTC wanted to be co-lead with the District.

The following made a presentation:

Ralph C. Bolin  
Vice President  
ABAG

in comments advised that the Work Program and Coordination Committee met and unanimously recommended ABAG remain sole lead agency because it sees no compelling reasons for change; Federal criteria may not accept a co-lead; ABAG and District have worked cooperatively for years.

There was discussion on SB-84 (Foran) with respect to I&M and the Regional Planning Committee support thereof, and its effect on the District if it passes; SB-2167 (Nejedly).

Mrs. Raymond suggested that subcommittees of the ABAG Executive Committee and District Board be appointed to meet to discuss the matter because it was important to have a unified position before the ARB.

Paul Maxwell  
Staff Member  
MTC

in comments stated that the Work Program and Plan Revision Committee met and unanimously voted to oppose the District's proposal.

After further discussion, Mrs. Raymond moved that the Chairperson designate a Subcommittee of the Board, and request ABAG, and if appropriate, MTC also to appoint representatives from their Boards to meet to discuss the issue and that the matter be agendized in a month; seconded by Mr. Chapman.

Mr. Landis moved a substitute motion that the Board is in favor of being Co-Lead agency with ABAG, and that the Chairperson appoint a Committee to work out the details; seconded by Mr. Ogawa; carried on roll call:

AYES: BACCIOLCCO, COOPER, DOETSCH, FERRITO,  
LANDIS, OGAWA, ROBERTS.

NOES: CHAPMAN, HASSELTINE, McCORQUODALE,  
RAYMOND, SILVER.

ABSENT: ASERA, BOXER, CORTESE, KETCHAM, KOPP,  
RUDEE.

Ms. Silver moved to rescind the vote and continue the matter for one meeting in order to give the rest of the Board Members an opportunity to vote on it. There was no second.

Mrs. Raymond moved that the Board formally request ABAG to designate a Subcommittee to meet with the District Board Subcommittee; seconded by Mr. Doetsch; carried.

REPORT OF ADVISORY COUNCIL  
Jack C. Oppenheimer, Chairperson

Mr. Oppenheimer reviewed his report entitled, Report of Advisory Council, dated February 20, 1980.

There was discussion on the Council's policy with respect to Reports to the Board.

PUBLIC HEARING TO CONSIDER ESTABLISHING FEES FOR BANKING PERMITS  
(REGULATION 3)

The APCO's report entitled, Establishment of a Banking Fee, dated February 1<sup>st</sup>, 1980, was presented.

Vice Chairperson Bacciolocco opened the Public Hearing at 10:40 A.M. Mr. Powell presented the Clerk with 9 Affidavits or Publication of Notice of Public Hearing.

There were no presentations.

Mr. Landis moved the Public Hearing be closed at 10:41 A.M.; seconded by Mr. Ogawa; carried.

Mr. Cooper moved the adoption of Resolution No. 1185, In the Matter of Establishing Banking Permit Fees; seconded by Mr. Ogawa; carried on roll call:

AYES: BACCIOLLA, CHAPMAN, COOPER, DOETSCH,  
FERRITO, LANDIS, McCORQUODALE, OGAWA,  
RAYMOND, ROBERTS.

NOES: NONE.

ABSENT: ASERA, BOXER, CORTESE, HASSELTINE,  
KETCHAM, KOPP, RUDEE, SILVER.

PUBLIC HEARING TO CONSIDER AMENDMENTS TO NEW SOURCE REVIEW RELATING  
TO ALTERNATIVE SITING AND NO<sub>2</sub> MODELING (REGULATION 2)

Mr. Feldstein reviewed his report entitled, Public Hearing to Consider Amendments to the New Source Review Regulation; (a) Amendment to Alternative Siting Requirement (Regulation 2-2-401.1) and (b) Amendment to Allow Modeling for Increases in Nitrogen Oxide Emissions to Show Interference With Air Quality Standards (Regulation 2-2-303.1 and 2-2-303.2), dated February 13, 1980. He requested a correction to 2-2-401.1, line 4 to insert a comma after "emissions" and to delete a comma after "than" and in line 5, the word "and" to be changed to "an".

Dr. Bacciocco opened the Public Hearing at 10:46 A.M. Mr. Powell presented to the Clerk 9 Affidavits of Publication of Notice of Public Hearing.

Mr. Feldstein reviewed the amendments to 2-2-303.1 and 303.2.

The following made presentations:

Jack MacKenzie  
P G & E

concurred with the staff recommendations.

Jeffrey Gabe  
Citizens for a Better Environment

expressed concern over the modeling provisions, stating they were exceptionally vague; recommended that the regulation on off-set emissions remain as is.

Mr. Feldstein pointed out that PG &E is developing a model which must be approved by ARB before it can be used under the regulation.

Mr. Landis moved the Public Hearing be closed at 10:56 A.M.; seconded by Mr. Ogawa; carried.

Mr. Cooper moved the adoption of Resolution No. 1196, In the Matter of Amending Rule 2 of Regulation 2 Relating to the Review of New Sources; seconded by Mr. Landis; failed on roll call:

AYES: BACCIOLLA, COOPER, DOETSCH, HASSELTINE,  
LANDIS, OGAWA, ROBERTS.

NOES: CHAPMAN, FERRITO, McCORQUODALE, RAYMOND.

ABSENT: ASERA, BOXER, CORTESE, KETCHAM, KOPP, RUDEE,  
SILVER.

After discussion, Mr. Cooper moved the adoption of Resolution No. 1196, In the Matter of Amending Rule 2 of Regulation 2 Relating to the Review of New Sources, specifically 2-2-401.1 - Alternative Siting; seconded by Mr. Ferrito; carried on roll call:

AYES: BACCIOLLA, CHAPMAN, COOPER, DOETSCH, FERRITO,  
HASSELTINE, LANDIS, McCORQUODALE, OGAWA,  
RAYMOND, ROBERTS.

NOES: NONE.

ABSENT: ASERA, BOXER, CORTESE, KETCHAM, KOPP, RUDEE,  
SILVER.

Mr. Cooper moved that the amendments relating to modeling on NO<sub>2</sub> be put over until the next meeting of the Board; seconded by Mr. Ogawa; carried.

PUBLIC HEARING TO CONSIDER CONTROL OF EMISSIONS FROM  
PERCHLOROETHYLENE AND STODDARD DRY CLEANING OPERATIONS  
(REGULATION 8, RULE 17)

Mr. Phillips reviewed the report entitled, Proposed Amendments to Regulation 8, Rule 17 - Dry Cleaners, dated February 14, 1980.

In discussion, Mr. Phillips stated that the District was responding to the ARB's model rule in recommending this control; that San Diego District has already adopted this requirement and that companies in that District had been granted some additional time for installing equipment but have applied for the Authority/Construct; that the plants have to be in compliance by December 1, 1981.

Mr. Cooper expressed concern that sufficient time be given to the sources using Stoddard solvents since control equipment is presently in the experimental stage.

Mr. Chapman advised that the owner of a dry cleaning establishment in Napa telephoned to advise him that the sources in that area support the Staff proposal.

Chairperson Baciocca opened the Public Hearing at 11:25 A.M.

Mr. Powell presented the Clerk 9 Affidavits of Notice of Public Hearing.

The following made presentations:

Ralph Butcher  
Valley Industrial Service  
Union City

in comments, stated that only 57% of the solvent is being returned with the present experimental carbon absorption system, and requested a years extension.

George Shepherd  
Executive Director  
Bay Area Fabricare  
Environment Council

in comments, advised there were no objections to the proposed perchloroethylene amendments, but expressed concern about the Compliance date; reviewed his letter of February 15, 1980 requesting various changes in the proposed regulation.

Jeffrey Gabe  
Citizens for a Better Environment

in comments on the Stoddard regulation, pointed out that 13 T/D reduction is necessary under the AQMP for dry cleaners; performance requirements should be set by Staff along with the specific control equipment; supported the perchloroethylene regulation; reviewed statistics on said emissions, and its relationship to cancer; recommended mileage standards for perchloroethylene dry cleaners be established and the disposal of PERC be regulated by the District and that disposal be in a Class I dump site; that there should be a complete phase out of this solvent.

George J. Laumann  
Vice President  
California Fabricare Dry Cleaners

commented on the carcinogenicity of PERC.

Mr. Doetsch moved that the Public Hearing be closed at 11:50 A.M.; seconded by Mr. Ogawa; carried.

Mr. Cooper moved that the Staff present a written report on the exemption question and timing issue with respect to perchloroethylene, and also on the suggestions made by Mr. Gabe, for presentation at the next Board meeting; seconded by Mr. Ogawa; carried.

Mr. Landis moved that the matter of the regulation on Stoddard solvents be reset for hearing on May 21, 1980; seconded by Mr. Ogawa; carried.

REPORT OF AIR POLLUTION CONTROL OFFICER  
Milton Feldstein

Discussion on Banking Guidelines

Mr. Feldstein reviewed his report entitled, Banking Guidelines, dated

February 13, 1980.

Mr. Chapman moved the adoption of Resolution No. 1197, In the Matter of Approving and Adopting Banking Guidelines as District Policy; seconded by Mr. Landis; carried on roll call:

AYES:	BACCIOCCO, CHAPMAN, DOETSCH, FERRITO, HASSELTINE, LANDIS, McCORQUODALE, OGAWA, ROBERTS.
NOES:	SILVER.
ABSENT:	ASERA, BOXER, COOPER, CORTESE, KETCHAM, KOPP, RAYMOND, RUDEE.

#### Legislative Report

Mr. Feldstein reviewed his report entitled, Legislative Report, dated February 15, 1980, recommending that the Board support AB-2145 (Calvo) and AB-2323 (Calvo). Mr. Ferrito so moved; seconded by Mr. Chapman; carried.

#### CHAIRPERSON'S REPORT

Barbara Boxer

In the absence of Chairperson Boxer, Vice Chairperson Bacciocco suggested that Supervisor Boxer remain as Chairperson for the 1980-81 Fiscal Year because of the pending Jarvis legislation and her familiarity with the various legislators and that this suggestion be given to the Personnel Committee for consideration. Ms. Silver so moved; seconded by Mr. McCorquodale; carried.

- - -

Chairperson Bacciocco reported on the February 14, 1980 meeting with the Legislators.

#### BOARD MEMBERS COMMENTS

In discussion of the 1980-81 Fiscal Year Budget, Mr. Feldstein advised that the Budget and Finance Committee would meet on March 19, 1980, after the Board meeting. Mr. Cooper requested that for this meeting Staff prepare a list of services that the District presently provides and the impact on each of those services should there be a reduction in funds.

#### OTHER

The following reports were presented:

Advisory Council Attendance Record, dated February 11, 1980.

Pending Referrals from Board of Directors, dated February 7, 1980.

Board Referrals to Advisory Council, dated January 10, 1980.

TIME AND PLACE OF NEXT MEETING

9:30 A.M., Wednesday, March 5, 1980, 939 Ellis Street, San Francisco, California.

The meeting adjourned at 12:10 P.M.

Respectfully submitted,

Mabel Harder  
Clerk of the District

MH:ec



A1581

Mar. 5, 1980

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BAY AREA AIR QUALITY MANAGEMENT DISTRICT  
939 Ellis Street  
San Francisco, California 94109

BOARD OF DIRECTORS REGULAR MEETING

Wednesday  
March 5, 1980  
9:30 a.m.

939 Ellis Street  
San Francisco,  
California 94109

M I N U T E S

BOARD MEMBERS PRESENT:

Larry Asara, Edward J.  
Bacciocco, Barbara Boxer,  
Sam Chapman, Fred F. Cooper,  
Ralph P. Doetsch, Thomas J.  
Ferrito, Eric H. Hasseltine,  
Pamela Ketcham, Daniel A.  
McCorquodale, Frank A. Ogawa,  
Valerie Raymond, Verne L.  
Roberts, Helen B. Ruhee.

BOARD MEMBERS ABSENT:

Dominic L. Cortese, Quentin  
Kopp, L.M. "Judge" Landis,  
Carol Ruth Silver.

ADVISORY COUNCIL MEMBERS PRESENT:

Sterling D. Hearne, Jack C.  
Oppenheimer.

STAFF MEMBERS PRESENT:

Milton Feldstein, Thomas F.  
Bell, Paul Bruno, Julian F.  
Brinkley, Laurence Chaset,  
Daniel Coalwin, Peter Hess,  
Terrey Lee, Dario Levaggi,  
John P. Powell, Lewis H.  
Robinson, Mabel Hardier.

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Chairperson Boxer called the meeting to order at 9:45 A.M.

PUBLIC PRESENTATION

There were none.

APPROVAL OF MINUTES OF FEBRUARY 14 AND 20, 1980

Mrs. Raymond requested a correction in the Minutes of February 20, 1980, page 3, to delete paragraph 8.

COMMUNICATIONS  
Thomas J. Ferrito, Secretary

The following communications were presented:

U.S. Department of Commerce  
National Oceanic and Atmospheric Administration

notice of Annual Evaluation of the California Coastal and Management Program, February 25-29, 1980.

Baxter L. Tilford  
Plant Manager  
Monsanto Industrial Chemical Co.,

with respect to the MCL averaging time criteria as it affects their plant, and requesting the Board to direct the Staff to carefully review the situation in an effort to obtain an early reconciliation between the District's regulation and the ARB's definition.

Jeff Gabe  
Citizens For A Better Environment

submitting his comments made at the February 20 Board meeting with respect to controlling perchloroethylene emissions from dry cleaners, as well as their news letter containing an article about Wickland Oil Company permit.

Mary D. Nichols  
Chairwoman  
ARB

inviting Director Doetsch to be a member of the Abrasive Blasting Committee.

Kenneth Hayes, M.D.  
San Jose

recommending that Dr. Rodney R. Beard be reappointed to the Hearing Board.

Georgiana F. Shepherd  
Executive Director  
Bay Area Fabricare Environment Council

requesting §301.6 of Regulation 8, Rule 17 be deleted.

John T. Donovan  
Former Director of Enforcement  
BAAQMD  
Daly City

requesting plight of retired employees be considered because rate of inflation is in excess of 1.3% per year whereas average rate of pension increase is 1.7%.

DIVISION MONTHLY REPORTS

The following reports were presented:

Director of Enforcement Monthly Activity Report -  
Report Period - January 21 - February 20, 1980;  
Director of Permit Services Monthly Activity Report,  
January 21, 1980 to February 20, 1980;  
Director of Planning Monthly Activity Report,  
January 23 to February 19, 1980;  
Director of Technical Services Monthly Activity Report,  
January 23 through February 19, 1980;  
Director of Public Information Monthly Activity Report -  
January 23, 1980 - February 22, 1980;  
Status of Legal Matters:  
January 24, 1980 to February 25, 1980;  
Director of Administrative Services Appropriation Statement and Cash Position January 31, 1980.

APPROVAL OF RESOLUTION FOR TRANSFER OF FUNDS

The APCO's report entitled, Approval of Transfer of Funds, dated February 28, 1980 was presented. Adopted Resolution No. 1198, In The Matter of Transferring Funds from Account 110 to Accounts 205 and 230; and Resolution No. 1199, In the Matter of Approving the Transfer of Funds from Account 260 to Account 440.

CANCELLATION OF PUBLIC HEARING ON LIGHTERING AND  
RESOLUTION NO. 1199

The APCO's report entitled, Cancellation of Public Hearing on Lightering, dated February 28, 1980, was presented.

SET PUBLIC HEARING FOR AT 10:00, 1, 20 TO CONSIDER EMISSIONS  
FROM GAS TURBINES (REG. 10, RULE 25)

The APCO's report entitled, Setting of Public Hearing, dated February 28, 1980, was presented.

APPROVAL FOR OUT-OF-STATE TRAVEL

The APCO's report entitled, Approval for Out-Of-State Travel, dated February 28, 1980, was presented.

REPORT OF REFUND

The APCO's report entitled, Report of Refund, dated February 28, 1980, was presented.

Dr. Bacciocco moved the approval of the above Consent Calender items; seconded by Mr. Ogawa; carried on roll call:

AYES:                   BACCIOCO, BOXER, CHAPMAN, COOPER,  
DOETSCH, FERRITO, KETCHAM, McCORQUODALE,  
OGAWA, RAYMOND, ROBERTS, RUDEE.

NOES:                   NONE.

ABSENT:                ASERA, CORTESE, HASSELTINE, KOPP,  
LANDIS, SILVER.

REPORT OF PERSONNEL COMMITTEE  
Thomas J. Ferrito, Chairperson

Mr. Ferrito reviewed his report entitled, Report and Recommendations of the Personnel Committee, dated February 27, 1980.

Mr. McCorquodale moved the approval of the recommendations contained in the report, and the following resolutions:

Resolution No. 1200, In the Matter of Certain Optional Insurance Programs.

Resolution No. 1201, In the Matter of Approving Affirmative Action goals.

Resolution No. 1202, In The Matter of Appointing a Member of the Hearing Board (Rodney R. Beard, M.D.).

Resolution No. 1203, In the Matter of Appointing a Member of the Hearing Board (Charles H. Kruger, PhD.)

Resolution No. 1204, In the matter of Reclassifying Several Positions.

seconded by Mr. Roberts.

There was discussion on the APCO's report entitled, District Policies and Procedures Manuel, dated March 5, 1980, containing recommendations with respect §13-C-1 under Bereavement Leave, Mr. Cooper expressing concern that this would entail additional cost to the District. The Committee's recommendation with respect to the PP&P was deleted from the motion.

Dr. Hasseltine expressed concern that action was being taken on the Officers and Committees for the 1980-81 Fiscal Year now. Mr. McCorquodale explained the reasons therefor, stating there was need to continue the communication and rapport with the Legislators. Chairperson Boxer stated that this was a deviation from the norm and that it should be made clear that this deviation was only for this one year.

The motion then carried on roll call:

AYES:

BACCIOLCCO, BOXER, CHAPMAN, COOPER,  
DOETSCH, FERRITO, HASSELTINE, KETCHAM,  
McCORQUODALE, OGAWA, RAYMOND, ROBERTS,  
RUDEE.

NOES:

NONE.

ABSENT:

ASERA, CORTESE, KOPP, LANDIS, SILVER.

There was future discussion on the proposed Bereavement Leave change in the PP&P, after which Mr. Ferrito moved the adoption of the recommendations on Bereavement Leave in the PP&P; seconded by Mr. Chapman.

There was further discussion on the desirability of this change, after which the motion carried on roll call:

AYES:

BOXER, CHAPMAN, DOETSCH, FERRITO,  
HASSELTINE, KETCHAM, McCORQUODALE,  
OGAWA, RAYMEND, RUDEE.

NOES:

BACCIOLCCO, COOPER, ROBERTS.

ABSENT:

ASERA, CORTESE, KOPP, LANDIS, SILVER.

Mr. Ogawa moved the adoption of Resolution No. 1205, In the Matter of Amending the District Personnel Policies and Procedures; seconded by Mr. Ferrito; carried on roll call:

AYES:

BACCIOLCCO, BOXER, CHAPMAN, DOETSCH,  
FERRITO, HASSELTINE, KETCHAM,  
McCORQUODALE, OGAWA, RAYMOND, RUDEE.

NOES:

COOPER, ROBERTS.

ABSENT:

ASERA, CORTESE, KOPP, LANDIS, SILVER.

Mr. Cooper suggested that the District put a freeze on hiring and capital expenditures, after which Chairperson Boxer assigned said matter to the Budget and Finance Committee. Mr. Feldstein was requested to present a report to the Committee at its March 19 meeting.

Mr. Asera arrived at 10:00 A.M.

REPORT AND DISCUSSION OF NO<sub>2</sub> MODELLING PROPOSAL FOR NEW SOURCE REVIEW, REGULATION 2

Mr. Feldstein reviewed his report entitled, Public Hearing to Consider Amendments to the New Source Review Regulation, dated February 13, 1980, with respect to the Amendment to Allow Modelling for Increases in Nitrogen Oxide Emissions to show Non-Interference with Air Quality Standards (Reg. 2-2-303.1 & 2-2-303.2).

Mr. Cooper moved the adoption of Resolution No. 1206, In the Matter of Amending Rule 2 of Regulation 2 Relating to the Review of New Sources; seconded by Mr. Doetsch; carried on roll call:

AYES: • ASERA, BACCIOLCCO, BOXER, COOPER  
DOETSCH, HASSELTINE, KETCHAM, OGAWA,  
RAYMOND, ROBERTS, RUDEE.

NOES: CHAPMAN, McCORQUODALE.

ABSENT: CORTESE, FERRITO, KOPP, LANDIS, SILVER.

CONTINUATION OF PUBLIC HEARING FOR CONTROL OF EMISSIONS FROM PERCHLOROETHYLENE DRY CLEANING OPERATIONS (REG. 8, RULE 27)

Mr. Feldstein reviewed the background on the regulation for perchloroethylene, stating that he had requested that the Public Health Committee of the Advisory Council review the question of the carcinogenicity of perchloroethylene.

Mr. Hess reviewed the proposed changes as contained in the APCO's report entitled, Proposed Regulation 8, Rule 27 - Perchloroethylene Dry Cleaning, dated February 26, 1980.

There was discussion on §301.6 pertaining to sealed containers, Mr. Ferrito expressing concern that there were no specifications for the containers in the Regulation. Mr. Feldstein advised that the Section conformed to State Law and that it was the responsibility of the State Health Department to determine that perc was disposed of in a proper manner.

Mr. Cooper suggested that §301.6 be discussed by the Advisory Council before action is taken, pointing out that a precedence was being established by incorporating State law into the District's regulation. Mr. Asera pointed out that there were few Class I dump sites and that by the requirements under §301.6 the District might be compounding the problem, and he requested a list of such sites from the Staff.

Mr. Cooper moved the adoption of Resolution No. 1207, In the Matter of Adopting Regulation 8, Rule 27 Relating to Emissions from Perchloroethylene from Dry Cleaning Operations, with the exception of disposal of perchloroethylene, referring it to the Advisory Council for a recommendation. There was no second.

Mr. Chapman moved the adoption of Resolution No. 1207, In the Matter of Adopting Regulation 8, Rule 27 Relating to Emissions from Perchloroethylene from Dry Cleaning Operations; seconded by Mr. Ferrito.

Mr. Cooper moved a substitute motion to delete §301.6 from the regulation and referring it to the Advisory Council; seconded by Mr. Roberts; failed on roll call.

AYES: COOPER, HASSELTINE, OGAWA, ROBERTS..

NOES: ASERA, BACCIOLLO, BOXER, CHAPMAN,  
DOETSCH, FERRITO, KETCHAM, McCORQUODALE,  
RAYMOND, RUDEE.

ABSENT: CORTESE, KOPP, LANDIS, SILVER.

Mr. Chapman's motion, then carried on roll call:

AYES: ASERA, BACCIOLLO, BOXER, CHAPMAN,  
~~DOETSCH~~, FERRITO, HASSELTINE, KETCHAM,  
McCORQUODALE, OGAWA, RAYMOND, RUDEE.

NOES: COOPER, ROBERTS.

ABSENT: CORTESE, KOPP, LANDIS, SILVER.

Georgiana F. Shepherd  
Bay Area Fabric Environment Council

expressed concern that the public was not being given an opportunity to speak on proposed changes made since the February 19 Board meeting. His letter of March 3, 1980 was incorporated in the record.

Chairperson Boxer requested the Staff to meet with the dry cleaning industry and report to the Board on March 19 if there are any changes to be made; and advising that public comment on the Staff's report would be allowed at that time. Dr. Bacciocco requested that the report contain information on the disparity in cost figures and whether the requirement in §301.6 is already that of another State agency.

Jeff Gabe  
Citizens for a Better Environment

requested that the Advisory Council be requested to report to the Board by a certain date with respect to the carcinogenicity of perchloroethylene. Chairperson Boxer requested said report within 60 days. Mr. Oppenheimer pointed out that this was a complex subject and that he did not know whether the Council could make anything but a progress report in that period of time.

Jeff Gabe  
Citizens for a Better Environment

communication dated February 26, 1980, was presented.

PUBLIC HEARING TO CONSIDER CHANGES TO THE MANUAL OF PROCEDURES

Mr. Levaggi briefly reviewed the changes in MOP as contained in the APCO's report entitled, Public Hearing on Changes to the Manuel of Procedures (MOP) dated February 27, 1980, making a correction in the report on page 2, line 5, to change "ten" to "fifteen" days, and a correction in the Regulation under Volume V, line 9, to read, "...~~± 20%~~ or 10%..."

Chairperson Boxer opened the public hearing at 11:00 a.m. Mr. Powell presented the Clerk with 9 Affidavits of Publication of Notice of Public Hearings.

The following made presentations:

David L. Bauer  
Vice President  
Environmental Affairs and Engineering

presented a written statement dated February 28, 1980, requesting several changes in MOP, as well as requesting a MOP for enforcement.

After discussion with respect to uniformity of enforcement, Mr. Cooper requested the Staff to respond in writing to the concerns expressed.

Dr. Hasseltine moved the continuance of the Public Hearing to March 19, 1980; seconded by Mr. Doetsch.

In discussion Mr. Feldstein stated that if MOP were not adopted today there would be a disparity between the Regulations and the current MOP; that Workshops had been held on MOP. After further discussion, the motion carried on roll call:

AYES:	ASERA, BACCIOCCO, BOXER, DOETSCH, HASSELTINE, ROBERTS, RUDEE.
NOES:	CHAPMAN, COOPER, FERRITO, KETCHAM McCORQUODALE, OGAWA,
ABSENT:	CORTESE, KOPP, LANDIS, SILVER, RAYMOND.

The following letter was received with respect to the matter:

Baxter L. Tilford  
Plant Manager  
Monsanto Industrial Chemicals Co.

with respect to the averaging time, and requesting Staff to review the problem.

PUBLIC HEARING TO CONSIDER CONTROL OF EMISSIONS FROM MANUFACTURE  
OF PNEUMATIC RUBBER TIRES (REG. 8, RULE 21)

Mr. Feldstein reviewed his report entitled, Proposed Rule 21 - Control of VOC Emissions from Rubber Tires Manufactures Operations, dated February 27, 1980.

Chairperson Boxer opened the public hearing at 11:15 A.M.

Mr. Powel presented the Clerk 9 Affidavits of Publication of Notice of Public Hearings.

There were no presentations, and Chairperson Boxer closed the public hearing at 11:16 A.M.

Mr. McCorquodale moved the adoption of Resolution No. 1208, In the Matter of Adopting Regulation 8 - Rule 21 Relating to the Control of the Emissions from Rubber Tire Manufacturing Operations; seconded by Dr. Bacciocco; carried on roll call:

AYES: ASERA, BACCIOCO, BOXER, CHAPMAN, COOPER, FERRITO, HASSELTINE, KETCHAM, MCCORQUODALE, OGAWA, RAYMOND, RUDEE.

NOES: NONE

ABSENT: CORTESE, DOETSCH, KOPP, LANDIS, ROBERTS, SILVER.

PUBLIC HEARING TO CONSIDER CONTROL OF EMISSIONS FROM VALVES AND  
FLANGES AT CHEMICAL PLANTS (REG. 8, RULE 22)

Mr. Hess reviewed the APCO's report entitled, Proposed Regulation 8, Rule 22, - Valves and Flanges at Chemical Plants, dated February 26, 1980.

Chairperson Boxer opened the public hearing at 11:20 A.M.

Mr. Powell presented the Clerk wit.. nine Affidavits of Publication of Notice of Public Hearings.

The following made presentations:

Bill Anderson  
Dow Chemical Co.

supported the proposed regulation.

Mr. Ogawa moved the public nearing be closed at 11:21 A.M.; seconded by Mr. Doetsch; carried.

Mr. McCordale moved the adoption of Resolution of No. 1209, In the Matter of Adopting Regulation 8, Rule 22 Relating to the Control of Emissions from Valves and Flanges at Chemical Plants; seconded by Mrs. Raymond; carried on roll call:

AYES:

ASERA, BACCIOLLO, BOXER, CHAPMAN,  
COOPER, DOETSCH, FERRITO, HASSELTINE,  
KETCHAM, McCORDALE, OGAWA, RAYMOND,  
ROBERTS, RUDEE.

NOES:

NONE.

ABSENT:

CORTESE, KOPP, LANDIS, SILVER.

REPORT OF AIR POLLUTION CONTROL OFFICER  
Milton Feldstein

Mr. Feldstein responded to the letter received from Mr. Baxter L. Tilford, Monsanto Industrial Chemicals Co., dated February 25, 1980, after which Mr. Chapman moved that the matter be referred to the Staff for report to the Board; seconded by Dr. Bacciocco; carried.

---

There was discussion on the I&M legislation, specifically the Foran bill; Dr. Hasseltine outlining the problems and concerns of the legislators.

---

Mr. Feldstein advised that Chairperson Boxer had sent a letter to each Mayor and Board of Supervisors in the District with respect to the District being Co-Lead Agency with ABAG. He also advised that ARB must give public notice that the District will be so designated, allowing a thirty day comment time period, after which a decision will be made. Mr. Ogawa requested that in the future any letter sent to the Mayor also be sent to the entire City Council.

Mr. Ferrito presented a letter from Mr. William H. Avery  
Town Manager  
Town of Los Gatos  
supporting the District being Co-Lead agency.

CHAIRPERSON's REPORT  
Barbara Boxer

Chairperson Boxer reported on the meeting with the Employees this morning.

BOARD MEMBERS COMMENTS

Mr. Ferrito advised that there would be a Personnel Committee meeting on March 19, 1980 at 9:00 A.M.

OTHER

The following reports were presented:

Pending Referrals from Board of Directors, dated February 20, 1980.

Board Referrals to Advisory Council, Dated January 10, 1980.

TIME AND PLACE OF NEXT MEETING

9:30 A.M., Wednesday, March 19, 1980, 939 Ellis Street, San Francisco, California

The meeting adjourned at 11:40 A.M.

Respectfully submitted,

Mabel Harder  
Clerk of The District

MH:er



A1581

Mar 19, 1980

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BAY AREA AIR QUALITY MANAGEMENT DISTRICT  
939 Ellis Street  
San Francisco, California 94109

BOARD OF DIRECTORS REGULAR MEETING

Wednesday  
March 19, 1980  
9:30 a.m.

939 Ellis Street  
San Francisco,  
California 94109

M I N U T E S

BOARD MEMBERS PRESENT:

Larry Asera, Edward J.  
Bacciocco, Barbara Boxer,  
Sam Chapman, Fred F. Cooper,  
Dominic L. Cortese, Ralph P.  
Doetsch, Sr., Eric H.  
Hasseltine, Pamela Ketcham,  
Quentin Kopp, L.N. "Judge"  
Landis, Daniel A. McCorquodale,  
Frank H. Ogawa, Valerie  
Raymond, Verne L. Roberts,  
Helen B. Rudee, Carol Ruth  
Silver.

BOARD MEMBER ABSENT:

Thomas J. Ferrito.

ADVISORY COUNCIL MEMBER PRESENT:

Hiram Wolch.

STAFF MEMBERS PRESENT:

Milton Feldstein, Thomas F.  
Bell, Hulan F. Brinkley,  
Daniel Goalwin, Peter Hess,  
Terry Lee, Dario Levaggi,  
Edward W. McHugh, John  
Phillips, John F. Powell,  
Lewis H. Robinson, Mabel  
Harder.

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Chairperson Boxer called the meeting to order at 9:50 a.m.

PUBLIC PRESENTATION

Dave Bauer

in comments stated his firm continued to have difficulty with two District employees and that in January he had requested of Mr. Feldstein that they not have to interface with them in the future.

Mr. McCorquodale moved that the matter be referred to the Personnel Committee; seconded by Mr. Ogawa; carried. It was agreed that the Committee would meet on April 16, at a time to be determined.

Mr. Cooper arrived at 9:53 a.m.

APPROVAL OF MINUTES OF MARCH 5, 1980

COMMUNICATIONS  
Thomas J. Ferrito, Secretary

The following communications were presented:

Thomas C. Austin  
Executive Officer  
ARB

proposal to designate the BAAQMD as Co-Lead agency for air quality planning in the Bay Area.

Doyle Williams  
Labor Representative  
Advisory Council

resigning from the Advisory Council.

L. Doss  
Clerk Dispatcher

copy of memorandum to Mr. Feldstein requesting that Step 4 of the grievance procedure be waived.

Gary D. Midkiff  
Office of Planning and Research  
State of California

requesting comments on the City of Walnut Creek's Notice of Preparation of a Draft EIR for Regional Arts Center.

Affirmative Action Council

Minutes, February 11, 1980 meeting

City of Half Moon Bay

Resolution opposing change in designation of Lead agency for air quality planning.

Rodney R. Beard, M.D.

Professor of Preventive Medicine, Emeritus  
Stanford University School of Medicine

expressing appreciation for being reappointed to the Hearing Board.

Jeff Gabe

Citizens for a Better Environment

requesting that Regulation 27, § 301.6 be amended to include language suggested by CBE in its February 25th comments, and

suggesting that the Advisory Council investigate the broader question, as well as the specifics, of perchloroethylene.

Richard C. Rhodes, M.D., Chairperson

Environmental Health Committee

Santa Clara County Medical Society

recommending that Dr. Rodney Beard be reappointed to the Hearing Board.

Town of Woodside

resolution opposing the BAAQMD being Co-Lead agency for air quality planning.

Mayor Janet Gray Hayes

City of San Jose

copy of letter to Susanne Wilson, President, ABAG, advising that the City Council voted to oppose the BAAQMD being Co-Lead agency for air quality planning.

City of Pacifica

resolution opposing the District being Co-Lead agency in air quality planning.

Elva Edger, President

Joanne Angvick, First Vice President

League of Women Voters of the Bay Area

copy of letter to Chairperson Mary Nichols, ARB, suggesting that a Joint Policy Committee be established to lead the air quality planning and implementation in the Bay Area, comprised of ABAG, BAAQMD, and MTC.

Elva Edger, President  
League of Women Voters of the Bay Area

copy of letter to Bay Area Assemblymen and Senators supporting an effective I&M program, but opposed to removing any powers of the ARB to impose vehicle emission controls more strict than those of EPA.

APPROVAL FOR TRANSFER OF FUNDS

The APCO's reports entitled, Approval for Transfer of Funds, dated March 13, 1980, were presented.

Adopted Resolution No. 1210, In the Matter of Approving a Transfer of Funds From Account 110 to 260, was adopted.

Resolution No. 1211, In the Matter of Approving a Transfer of Funds From Accounts 240 and 110 to New Account 410, was adopted.

REPORT AND APPROVAL OF REFUNDS

The APCO's report entitled, Refunds, dated March 13, 1980, was presented.

ANNUAL REPORT ON AIR QUALITY AND POLLUTION STANDARD INDEX (PSI)

The APCO's report entitled, Public Notification Requirements (Annual Report on Air Quality and Pollution Standard Index (PSI)), dated March 12, 1980, was presented.

Resolution No. 1212, In the Matter of Continuing the District's Commitment to Notifying the Public of Air Quality Within the District, was adopted.

AUTHORIZATION FOR CHAIRPERSON TO SIGN PURCHASE ORDERS IN EXCESS OF \$4,000

The APCO's reports entitled, Purchase Order in Excess of \$4,000, dated March 19, 1980 and Authorization for Chairperson to Sign Purchase Orders in Excess of \$4,000, dated March 13, 1980, were presented.

Resolution No. 1213, In the Matter of Authorizing the Chairperson of the Board of Directors to Sign a Purchase Order in Excess of \$4,000 for Automobiles, was adopted.

Resolution No. 1214, In the Matter of Authorizing the Chairperson to Sign a Purchase Order in Excess of \$4,000 for Printing Services, was adopted.

APPROVAL FOR OUT-OF-STATE TRAVEL

The APCO's report entitled, Approval for Out-of-State Travel, dated March 13, 1980, was presented.

SET PUBLIC HEARING FOR MAY 21, 1980 TO CONSIDER  
AMENDMENTS TO SO<sub>2</sub> REGULATION (REG. 9, RULE 1)

The APCO's report entitled, Setting a Public Hearing for May 21, 1980 to Consider Amendments to the Sulfur Dioxide Regulation (Reg. 9, Rule 1), dated March 13, 1980, was presented.

Mr. Landis moved the adoption of the above Consent Calendar items, seconded by Mr. Doetsch; carried on roll call:

AYES:                   BACCIOLCCO, BOXER, CHAPMAN, COOPER,  
                         CORTESSE, DOETSCH, KETCHAM, KOPP,  
                         LANDIS, McCORQUODALE, OGAWA,  
                         RAYMOND, ROBERTS, RUDEE.

NOES:                   NONE.

ABSENT:                ASERA, FERRITO, HASSELTINE, SILVER.

REPORT OF PERSONNEL COMMITTEE

Thomas J. Ferrito, Chairman

In the absence of Chairperson Ferrito, Vice Chairperson Ketcham reported that the Committee met prior to the Board meeting; that Directors are requested to submit to the Committee by April 2, 1980 candidates for the Labor category on the Advisory Council.

Mrs. Ketcham advised that the Committee discussed the matter of the District withdrawing from Social Security, recommending that the Board commit funds contributed under Social Security for the period January 1 - June 30, 1981, for the purchase of replacement benefits if the District withdraws, and she so moved; seconded by Mr. Doetsch; carried on roll call:

AYES:                   BACCIOLCCO, BOXER, CHAPMAN, COOPER,  
                         CORTESSE, DOETSCH, KETCHAM, KOPP,  
                         LANDIS, McCORQUODALE, OGAWA,  
                         RAYMOND, ROBERTS, RUDEE.

NOES:                   NONE.

ABSENT:                ASERA, FERRITO, HASSELTINE, SILVER.

Mrs. Ketcham stated the Committee recommends that the matter of the implementation of the Beaman Report be agendized for full Board discussion, and Chairperson Boxer requested the matter be agendized for April 16, 1980.

REPORT OF ADVISORY COUNCIL  
Hiram Wolch, Secretary

Dr. Wolch reviewed the Report of Advisory Council, dated March 12, 1980, specifically the Council's recommendation that Regulation 7, §102, Odorous Substances - Citizen Complaints be amended. Mr. Feldstein outlined the current regulation and the purpose of the proposed amendment, after which Mr. Cooper moved that the matter be set for public hearing on May 21, 1980; seconded Mr. Ogawa; carried.

Dr. Wolch advised that the Council supports the District being Co-Lead Agency with ABAG, and requested that the ARB be so notified.

Mr. Asera arrived at 10:05 a.m.

REPORT ON SIMS PROJECT  
Lewis Robinson

Mr. Robinson advised that this was an ongoing study of statistics on environmental factors of health, outlining the District's participation in it and the major parts of the study.

Ms. Silver arrived at 10:10 a.m.

Mr. Cooper moved the adoption of Resolution No. 1215, In the Matter of Expressing Appreciation to the SIAM Institute for Mathematics and Society; seconded Mr. Ogawa; carried on roll call:

AYES:

ASERA, BACCIOCO, BOXER, CHAPMAN,  
COOPER, CORTESE, DOETSCH, KETCHAM,  
KOPP, LANDIS, McCORQUODALE, OGAWA,  
RAYMOND, ROBERTS, RUDEE, SILVER.

NOES:

NONE.

ABSENT:

FERRITO, HASSELTINE.

PUBLIC HEARING TO CONSIDER CONTROL OF EMISSIONS  
FROM GRAPHIC ARTS COATING OPERATIONS (REG. 8, RULE 20)

Mr. Phillips outlined the proposed rule as contained in the APCO's report entitled, Proposed Rule 20 - Control of Organic Emissions from Graphic Arts Operations, dated March 13, 1980.

Dr. Hasseltine arrived at 10:15 a.m.

He advised that a Task Force had been established comprised of personnel from the District, SCAQMD, and ARB, in order to develop the rule, and that the proposed rule will be recommended to the ARB for a Statewide model rule.

There was discussion on what was available in control equipment and in solvents now, and would be by 1985, Mr. Cooper expressing

concern that the Board was being asked to adopt a regulation that possibly could not be met and would need modification; that the District didn't need to be the first agency to adopt such a regulation.

Chairperson Boxer opened the public hearing at 10:40 a.m.

Mr. Powell presented the Clerk with nine Affidavits of Publication of Notice of Public Hearings.

The following made presentations:

Robert Oslan  
Environmental Coordinator  
Arcata Publication Group

presented a proposed change to §301.2.

James Walther  
San Leandro Flexible Packaging Plant  
and Research Laboratory  
Crown Zellerbach Corporation

in comments, requested the Board to delay adoption of the regulation until the ARB model rule is proposed and the final ARB report is issued; that there should be a review period for control equipment technology as well as solvent technology and requested a change with respect to Non-Porous Substrates.

After discussion, Mr. Phillips suggested that §302, line 4, be changed to read, "coating...printing or coating only on a porous substrate,..."

With respect to §8-20-403 - Compliance Schedule for Non-Porous Substrates, Mr. Walther requested a technological review period for water-based solvents.

Ted Blackstone  
A. J. Daw, Inc.

requested a change in the definitions under 8-20-207, 8-20-209, requesting that "substrate" be eliminated and replaced with "surface".

After discussion, Mr. Doetsch moved the public hearing be closed at 11:05 a.m.; seconded Mr. Roberts; carried.

Mr. Cooper moved that the Board request Mr. Feldstein to check with the SCAQMD and ARB on the three changes requested to determine if they will make such changes in their rule before the District adopts its rule. There was no second.

Mr. Chapman moved that the Board declare its intent to adopt a regulation similar to the one presented today, and request Staff to incorporate all the changes suggested today, and present

it at the next meeting on the Consent Calendar; seconded by Mrs. Ketcham.

After discussion, Mr. Chapman amended his motion, that the Board continue the public hearing to April 2, 1980, and request Staff to incorporate the changes suggested today for presentation to the Board; seconded by Mrs. Ketcham.

In discussion, Mr. Kopp requested that the Staff present a report on the form of the rule being considered by ARB and SCAQMD, and the status; and Chairperson Boxer so ordered.

The motion then carried.

CONTINUATION OF PUBLIC HEARING TO CONSIDER  
CHANGES TO MANUAL OF PROCEDURES

Mr. Feldstein briefly reviewed his report entitled, Mr. David Bauer's Presentation of March 5, 1980 Regarding Manual of Procedures, dated March 13, 1980.

Mr. Doetsch moved the public hearing be closed at 11:10 a.m.; seconded Mr. Ogawa; carried.

Mrs. Raymond moved the adoption of Resolution No. 1216, In the Matter of Amending the Manual of Procedures; seconded Mr. Kopp; carried on roll call:

AYES:

ASERA, BACCIOLCO, BOXER, CHAPMAN,  
COOPER, CORTESE, DOETSCH, HASSELTINE,  
KETCHAM, KOPP, LANDIS, McCORQUODALE,  
OGAWA, RAYMOND, ROBERTS, RUDEE, SILVER.

NOES:

NONE.

ABSENT:

FERRITO.

REPORT OF AIR POLLUTION CONTROL OFFICER  
Milton Feldstein

Mr. Feldstein requested that the date for the public hearing on Banking be changed from April 16, 1980 to May 7, 1980. Mr. Kopp so moved; seconded Mr. Ogawa; carried.

Report on Disposition Procedures for Perchloroethylene From Drycleaning Operations

Mr. Feldstein reviewed his report entitled, Disposition Procedures for Perchloroethylene From Dry Cleaning Operations, dated March 13, 1980.

Mr. Cooper expressed concern that the District was requiring disposal of the material in a container in a Class I dump rather than a Class II dump.

After discussion, Mrs. Raymond moved to approve the report and note that the Board was satisfied; seconded Mr. Chapman; carried, with Mr. Cooper voting No.

CHAIRPERSON'S REPORT  
Barbara Boxer

There was none.

BOARD MEMBER'S COMMENTS

Mrs. Raymond requested that the Board withdraw its request that it be designated Co-Lead Agency, pointing out that the District does not have the support of local agencies; that 39 cities and 3 counties have gone on record in support of ABAG; that the ARB was promoting the issue because of AB-2167. She moved that the Board tell ARB that it is dropping its request for Co-Lead Agency; seconded by Ms. Silver.

There was discussion as to whether this was a Motion for Reconsideration, and that it was brought up off calendar, Mr. Powell advising that this could not be a Motion for Reconsideration, and he reviewed §1.4 of the Administrative Code with respect to the Agenda.

After further discussion, Chairperson Boxer ruled that the motion was in order.

Several Directors spoke on the motion, after which it failed on roll call:

AYES: CORTESE, McCORQUODALE, RAYMOND, SILVER.

NOES: BACCIOLCCO, BOXER, CHAPMAN, DOETSCH,  
KOPP, LANDIS.

ABSTAINING: ASERA, COOPER, HASSELTINE, KETCHAM,  
OGAWA, ROBERTS, RUDEE.

ABSENT: FERRITO.

There was discussion that a Committee should be appointed to work with ABAG, after which Chairperson Boxer stated she would appoint two members to such a Committee in order to foster better cooperation.

OTHER

Jeff Gabe  
Citizens for a Better Environment

called attention to his letter dated March 11, 1980 with respect to the matter of perchloroethylene emissions, requesting the

Advisory Council investigate the broader question as well as the specifics of perc.

Chairperson Boxer referred to the Advisory Council Mr. Gabe's letter, for a report.

The following reports were presented:

Pending Referrals From Board of Directors, dated March 5, 1980.

Board Referrals to Advisory Council, dated March 5, 1980.

TIME AND PLACE OF NEXT MEETING

9:30 a.m., Wednesday, April 2, 1980, 939 Ellis Street, San Francisco, California.

The meeting adjourned at 12:00 noon.

Respectfully submitted,

Mabel Harder  
Clerk of the District

MH:jh

A1581

APR. 2, 1980

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BAY AREA QUALITY MANAGEMENT DISTRICT  
939 Ellis Street  
San Francisco, California 94109  
771-6000

BOARD OF DIRECTORS REGULAR MEETING

Wednesday  
April 2, 1980  
9:30 a.m.

939 Ellis Street  
San Francisco  
California 94109

M I N U T E S

BOARD MEMBERS PRESENT:

Edward J. Bacciocco, Jr.,  
Barbara Boxer, Sam Chapman  
Fred F. Cooper, Ralph P.  
Doetsch, Sr., Eric H.  
Hasseltine, Quentin Kopp,  
L.N. "Judge" Landis, Valerie  
Raymond, Verne L. Roberts,  
Carol Ruth Silver.

BOARD MEMBERS ABSENT:

Larry Asera, Dominic L.  
Cortese, Thomas J. Ferrito,  
Pamela Ketcham, Daniel  
A. McCorquodale, Frank  
H. Ogawa, Helen B. Rudee.

ADVISORY COUNCIL MEMBER PRESENT:

Marshall A. Kent, Jack C.  
Openheimer.

STAFF MEMBERS PRESENT:

Milton Feldstein, Thomas F.  
Bell, Hulan F. Brinkley,  
Laurence G. Chaset, Daniel  
Goalwin, Peter Hess, Dario  
Levaggi, Edward W. McHugh,  
John F. Powell, Lewis H.  
Robinson, Mabel Harder.

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Chairperson Boxer called the meeting to order at 9:40 a.m.  
A quorum was not present.

PUBLIC PRESENTATION

There were none.

REPORT OF BUDGET AND FINANCE COMMITTEE  
Fred F. Cooper, Chairperson

Mr. Cooper reviewed his report entitled, Report and Recommendations of Committee, dated April 2, 1980.

There was discussion on whether a hiring freeze should be instituted, Mr. Cooper pointing out that because the law permits the District to increase its permit fees, the District's financial condition was not as critical as other districts.

Directors Bacciocco and Kopp arrived at 9:42 a.m.

Mr. Kopp referred SB-180 which changes the formula of AB-8; there was discussion on the Budget and Finance Committee meeting soon.

REPORT OF AIR POLLUTION CONTROL OFFICER  
Milton Feldstein

Mr. Feldstein called attention to the notice of a Conference on Vehicle Inspection and Maintenance in the Bay Area, and reviewed legislation with respect to permit fees.

Ms. Silver arrived at 9:52 a.m., and a quorum was now present.

APPROVAL OF MINUTES OF MARCH 19, 1980

Ms. Harder requested a correction on page 8, paragraph 2, line 2, to read, "continue the matter to April 2, 1980, ---".

COMMUNICATIONS  
Thomas J. Ferrito, Secretary

The following communications were received:

Monte R. Hess  
Executive Director  
Redevelopment Agency of the City of San Pablo

Statement of Preparation of Amended Redevelopment Plan  
for the Oak Park Community Redevelopment Project

Mayor Bruce C. Ghiselli  
City of Brentwood

forwarding Resolution 80-19, opposing the District being Co-Lead Agency with ABAG.

Sadie M. Conboy, City Clerk  
City of San Carlos

enclosing Resolution No. 1980-25, reaffirming ABAG's designation as lead agency for air quality.

Committee for Safe and Sensible San Francisquito Creek Area Routing and Nancy Jewell Cross

submitting Opening Brief of Appellants and Excerpt of Record with respect to their Appeal to the U.S. Court of Appeals.

DIVISION MONTHLY REPORTS:

The following reports were presented:

Director of Enforcement Monthly Activity Report - Report Period February 21 through March 20, 1980; Director of Planning Monthly Activity Report, February 20 to March 18, 1980; Director of Permit Services Monthly Activity Report, February 21, 1980 to March 20, 1980; Director of Technical Services Monthly Activity Report, February 20 through March 18, 1980; Director of Public Information Monthly Activity Report - February 22, 1980 - March 25, 1980; Status of Legal Matters: February 26, 1980 to March 24, 1980; Director of Administrative Services Appropriation Statement and Cash Position dated February 29, 1980.

SET PUBLIC HEARING FOR REVISION OF PERMIT FEES  
FOR JUNE 4, 1980 (REC. 3)

The APCO's report entitled, Public Hearing for Revision of Permit Fees, dated March 27, 1980, was presented.

Mr. Cooper moved the approval of the above Consent Calendar items; seconded by Ms. Silver; carried.

REPORT OF BUDGET AND FINANCE COMMITTEE - CONTINUED

Mr. Cooper moved the adoption of the following resolutions:

Resolution No. 1217, In the Matter of Authorizing the Appointment of an Auditor.

Resolution No. 1218, In the Matter of Authorizing the Transfer of Funds from Account 110 to 410 in the Administrative Services Division.

Seconded by Mr. Kopp.

Ms. Silver inquired as to the low bid for the Auditor in view of the size of the District budget, and there was discussion thereon.

Dr. Hasseltine arrived at 9:55 a.m.

The motion carried on roll call:

AYES:

BACCIOCCO, BOXER, CHAPMAN,  
COOPER, DOETSCH, HASSELTINE,  
KOPP, LANDIS, RAYMOND,  
ROBERTS, SILVER.

NOES:

NONE.

ABSENT:

ASERA, CORTESE, FERRITO,  
KETCHUM, McCORQUODALE,  
OGAWA, RUDEE.

There was discussion on the necessity for roll calls on Resolutions when the vote was unanimous, after which Mr. Cooper moved that the Administrative Code be amended on April 16, 1980 with respect thereto; seconded by Mr. Roberts; carried.

CONSIDERATION OF ADOPTION OF REGULATION TO CONTROL  
EMISSIONS FROM GRAPHIC ARTS COATING OPERATIONS  
(REG. 8, RULE 20)

The APCO's report entitled, Consideration of Adoption of Regulation to Control Emissions from Graphic Arts Coating Operations - Regulation 8, Rule 20, dated March 27, 1980, was presented.

Mr. Chapman moved the adoption of Resolution No. 1219, In the Matter of Adopting Regulation 8-Rule 20 Relating to the Control of Emissions from Graphic Arts Operations; seconded by Mrs. Raymond; carried on roll call:

AYES:

BOXER, CHAPMAN, COOPER,  
DOETSCH, HASSELTINE, KOPP,  
LANDIS, RAYMOND, ROBERTS,  
SILVER

NOES:

NONE

ABSENT:

ASERA, BACCIOCCO, CORTESE  
FERRITO, KETCHUM, McCOR-  
QUODALE, OGAWA, RUDEE.

Mr. Cooper requested the staff to prepare a report for him on the emissions from the printing of newspapers and magazines.

PUBLIC HEARING TO CONSIDER CONTROL OF EMISSIONS FROM  
MANUFACTURE OF SYNTHESIZED PHARMACEUTICAL PRODUCTS  
(REG. 8, RULE 24)

Mr. Hess reviewed the APCO's report entitled, The Control of Emissions from the Manufacture of Synthesized Pharmaceutical Products Regulation 8, Rule 24, dated March 27, 1980.

Ms. Silver questioned the need for the Regulation in view of the fact there were no industries in the District affected by it. Mr. Hess advised that this was a requirement of EPA and that industry could not go elsewhere because the regulation was effective nationwide.

Chairperson Boxer opened the public hearing at 10:04 a.m.

Mr. Powell furnished the Clerk nine Affidavits of Publication of Notice of Public Hearings.

There were no presentations.

Mr. Landis moved the public hearing be closed at 10:05 a.m.; seconded by Mr. Kopp; carried.

Mr. Chapman moved the adoption of Resolution No. 1220, In the Matter of Adopting Regulation 8-Rule 24 Relating to the Control of Emissions from the Manufacture of Synthesized Pharmaceutical Products; seconded by Mr. Roberts; carried on roll call:

AYES:

BACCIOCCO, BOXER, CHAPMAN,  
COOPER, DOETSCH, HASSELTINE,  
KOPP, LANDIS, RAYMOND,  
ROBERTS, SILVER.

NOES:

NONE.

ABSENT:

ASERA, CORTESE, FERRITO,  
KETCHUM, McCORQUODALE,  
OGAWA, RUDEE.

PUBLIC HEARING TO CONSIDER CONTROL OF EMISSIONS FROM  
SURFACE COATING OF FLAT WOOD PANELING  
(REG. 8, RULE 23)

Mr. Hess reviewed the APCO's report entitled, The Control of Emissions from the Coating of Flat Wood Paneling, Regulation 8, Rule 23, dated March 27, 1980.

Chairperson Boxer opened the public hearing at 10:06 a.m.

Mr. Powell presented the Clerk with nine Affidavits of Publication of Notice of Public Hearings.

There were no presentations.

Mr. Kopp moved the hearing be closed at 10:07 a.m.; seconded by Ms. Silver; carried.

Mr. Landis moved the adoption of Resolution No. 1221, In the Matter of Adopting Regulation 8-Rule 23 Relating to the Control of Emissions from the Coating of Flat Wood Paneling; seconded by Mr. Kopp; carried on roll call:

AYES:

BACCIOCCO, BOXER, CHAPMAN,  
COOPER, DOETSCH, HASSELTINE,  
KOPP, LANDIS, RAYMOND,  
ROBERTS, SLIVER.

NOES:

NONE.

ABSENT:

ASERA, CORTESE, FERRITO,  
KETCHUM, McCORQUODALE  
OGAWA, RUDEE.

EXECUTIVE SESSION WITH DESIGNATED REPRESENTATIVES  
PURSUANT TO GOVERNMENT CODE 54957.6 TO BE AGENDIZED FOR  
APRIL 16, 1980 AT CONCLUSION OF THE BOARD MEETING

Mr. Kopp moved that said Executive Session be agendized; seconded by Mr. Doetsch; carried.

- - -

Mr. Feldstein requested that the Board set a public hearing on May 21, 1980 to correct errors found thus far in the Recodified Regulations, and Mr. Chapman so moved; seconded by Mr. Landis; carried.

CHAIRPERSON'S REPORT  
Barbara Boxer

Chairperson Boxer advised that she had appointed Directors Chapman and McCorquodale to an Ad Hoc Committee to work with ABAG in the event the District became Co-Lead Agency.

BOARD MEMBERS' COMMENTS

There were none.

OTHER

The following reports were presented:

Pending Referrals from Board of Directors, dated March 21, 1980.

Board Referrals to Advisory Council, dated March 19, 1980.

TIME AND PLACE OF NEXT MEETING

9:30 a.m., Wednesday, April 16, 1980, 939 Ellis Street, San Francisco, California.

The meeting adjourned at 10:15 a.m.

Respectfully submitted,

Mabel Harder  
Clerk of the District



A1581

Apr. 7, 1980

3

BAY AREA AIR QUALITY MANAGEMENT DISTRICT  
939 Ellis Street  
San Francisco, California 94109  
771-6000

BOARD OF DIRECTORS REGULAR MEETING

Wednesday  
April 16, 1980  
9:30 a.m.

939 Ellis Street  
San Francisco,  
California 94109

M I N U T E S

BOARD MEMBERS PRESENT:

Larry Asera, Edward J.  
Bacciocco, Jr., Barbara  
Boxer, Sam Chapman, Fred  
F. Cooper, Dominic L.  
Cortese, Ralph P. Doetsch,  
Sr., Thomas J. Ferrito,  
Eric H. Hasseltine, Quentin  
Kopp, L.N. "Judge" Landis,  
Daniel A. McCorquodale,  
Frank H. Ogawa, Helen B.  
Rudee.

BOARD MEMBERS ABSENT:

Pamela Ketcham, Valerie  
Raymond, Verne L. Roberts,  
Carol Ruth Silver.

HEARING BOARD MEMBER PRESENT:

Ruth H. Koehler.

ADVISORY COUNCIL MEMBER PRESENT:

Lowell V. Smith, Vice  
Chairperson.

STAFF MEMBERS PRESENT:

Milton Feldstein, Thomas  
F. Bell, Hulan F. Brinkley,  
Daniel Goalwin, Peter Hess,  
Edward W. McHugh, John F.  
Powell, Lewis H. Robinson,  
Mary Veronda, Mabel Harder.

Chairperson Boxer called the meeting to order at 9:40 a.m.

PUBLIC PRESENTATION

There were none.

APPROVAL OF MINUTES OF APRIL 2, 1980

COMMUNICATIONS

Thomas J. Ferrito, Secretary

The following communications were presented:

Alice Roylance  
City Clerk  
City of Mountain View

advising that the City Council acted to acknowledge and file Chairperson Boxer's letter regarding air quality management redesignation.

C. M. Higby, Chairman  
Executive Committee  
Bay Area League of Industrial Ass'ns, Inc.

copy of letter to ARB requesting the District be Co-Lead agency with ABAG.

Supervisor Susanne Wilson, President  
ABAG

acknowledging receipt of Chairperson Boxer's letter with respect to an ad hoc committee to foster better cooperation between ABAG and the District; advising that she and Supervisor Bort would serve as ABAG members of this committee if MTC agrees to join.

Contra Costa County LAFCO

soliciting Spheres of Influence update proposals.

Mayor Steve Eigenberg  
City of Piedmont

copy of letter to ARB endorsing the continuation of ABAG as the lead agency for air quality planning.

Warren L. Jackman  
Secretary-Treasurer  
Contra Costa Building and Construction Trades Council

recommending Robert Skidgel to the Advisory Council in the Labor category.

POSTPONEMENT OF PUBLIC HEARING ON BANKING TO MAY 7, 1980

The APCO's report entitled, Postponement of Public Hearing on Banking, dated April 10, 1980, was presented.

TRANSFER OF FUNDS

Two APCO's reports entitled, Transfer of Funds, dated April 10, 1980, were presented.

Adopted Resolution No. 1222, In the Matter of Authorizing the Transfer of \$66,000 from Account 110 to Account 250.

AMENDMENT TO ADMINISTRATIVE CODE SECTION 5.2  
REGARDING VOTING PROCEDURES

Adopted Resolution No. 1223, In the Matter of Amending the Administrative Code.

REFERRALS

The APCO's report entitled, Referrals from Board of Directors, dated April 10, 1980 was presented. Mr. Feldstein requested that the asterisks be removed from Item 33.

On motion of Dr. Bacciocco; seconded by Mr. Ogawa; carried on roll call:

AYES:

BACCIOLLA, BOXER, CHAPMAN,  
CORTESE, DOETSCH, FERRITO,  
LANDIS, McCORQUODALE,  
OGAWA, RUDEE.

NOES:

NONE.

ABSENT:

ASERA, COOPER, HASSELTINE,  
KETCHAM, KOPP, RAYMOND,  
ROBERTS, SILVER.

Mr. Asera arrived at 9:46 a.m.

QUARTERLY REPORT OF HEARING BOARD  
Ruth H. Koehler

Mrs. Koehler reported that the Hearing Board elected the same Officers for the next year; she reviewed the Hearing Board Quarterly Report January 1, 1980 - April 1, 1980, dated April 1, 1980, specifically with respect to the vapor recovery cases, PGandE and the Navy; she read from the Order Granting Variance to Tosco Corporation and Monsanto Company, with respect to the interruption of the regular collection of data by air quality monitors because of the strike.

PUBLIC HEARING TO CONSIDER CONTROL OF EMISSIONS  
FROM GAS TURBINES (REG. 10, RULE 26)

Mr. Goalwin reviewed the APCO's report entitled, Proposed New Source Performance Standard for Gas Turbines. Regulation 10, Rule 26, dated April 9, 1980.

Dr. Hasseltine arrived at 9:55 a.m.

Mr. Goalwin requested the following corrections in the Regulation:

10-26-201 - Line 2, change "valve" to "value".

10-26-205 - Line 2, delete the comma at the end of the line; line 3 - hyphenate the word, steam-electric.

10-26-301.2 - Line 2 to read, "input . . . (100 million BTU/hr.) . . ."

In discussion Mr. McCorquodale suggested that 10-26-101 - Description - include the word "stationary" so that it is apparent the regulation is not applicable to aircraft, and it was agreed to amend line 2 to read, "Oxides of . . . from stationary gas. . . .".

Chairperson Boxer opened the Public Hearing at 10:05 a.m.

Mr. Powell presented the Clerk with nine Affidavits of Publication of Notice of Public Hearings.

There were no presentations.

The Public Hearing was closed at 10:06 a.m. and Mr. Cortese moved the adoption of Resolution No. 1224, In the Matter of Adopting Regulation 10 - Rule 26 Relating to the Control of Emissions from New Gas Turbines; seconded by Dr. Bacciocco; carried unanimously on voice vote.

DISCUSSION OF UPSET/BREAKDOWN PROVISIONS OF REGULATION 1

Mr. Brinkley reviewed the APCO's report entitled, Report of Breakdown Procedures, dated April 9, 1980.

Chairperson Boxer stated that the Board accepted the report and would make no changes in the current regulation.

REPORT OF AIR POLLUTION CONTROL OFFICER  
Milton Feldstein

Legislative Report

Mr. Powell reviewed the APCO's Legislative Report, dated April 11, 1980.

Mr. Kopp arrived at 10:10 a.m.

Mr. Doetch moved approval of the Staff's recommendations as contained in the report; seconded by Mr. Ogawa; carried.

Mr. Feldstein requested approval for out-of-state travel for Messrs. England and Gee to Las Vegas to attend a Quality Assurance Workshop, all expenses being paid by EPA. Mr. Doetsch so moved; seconded by Mr. Ogawa; carried.

Mr. Feldstein reported on the I&M legislation, specifically AB-2145 (Calvo) pointing out that the proposal would keep the State's standards except for a change in the NO<sub>x</sub> standards for passenger cars.

There was discussion on the effect the change would have on air quality in the District; the differences between the Foran and Calvo bills; the effect the letislation would have on the consumer, Mr. Feldstein reading from Assemblyperson Ingalls' statement to the Assembly Transportation Committee in which the changes in the Calvo bill were made.

Mr. Cooper arrived at 10:20 a.m.

DISCUSSION OF EMPLOYEE ASSOCIATION  
REQUEST REGARDING SALARY PARITY

Ted McEwen, President  
BAAQMD Employee Association

stated that the Association felt the 8% ceiling affected those salaries which were most out of line; that the balance of the Beaman survey should be implemented; that the Personnel Department survey as set forth in the APCO's report compared job titles and not job comparisons.

Mr. McCorquodale moved to implement the Beaman report in its full amount; seconded by Mr. Ferrito.

In discussion, Mr. McCorquodale spoke to the philosophy of his motion, stating that the Board should not ask employees to work out of the level of classification without compensation.

Mr. Cooper pointed out that the Beaman report was now 2 years old and that during this time employees had received a 22% increase. He then moved a substitute motion to refer the matter to Executive Session; seconded by Mr. Doetsch.

Several Directors spoke to the motion some being in favor of the employees receiving parity, and others pointing out that the data in the Beaman report had never been substantiated. Mr. Cooper objected to the Directors continuing to comment with his substitute motion pending. Chairperson Boxer ruled that in debating Mr. Cooper's motion any and all comments by Board members would be heard.

Mr. Cooper moved to appeal the rule of the Chair and to limit discussion; seconded by Mr. Kopp; failed on roll call:

AYES:

COOPER, CORTESE, DOETSCH,  
HASSELTINE, KOPP, OGAWA.

NOES:

ASERA, BACCIOLLO, BOXER,  
CHAPMAN, FERRITO, LANDIS,  
McCORQUODALE, RUDEE.

ABSENT:

KETCHAM, RAYMOND, ROBERTS,  
SILVER.

There was further discussion on the increases which the employees had received during the past 2 years and that which was received under the Beaman report; that there needed to be an updating of the report before action was taken; that during the past 2 years there had been only a 5% turnover; that the Board had delayed action on this matter, after which Mr. Cooper's substitute motion failed on roll call:

AYES:

BACCIOLLO, COOPER, CORTESE,  
HASSELTINE, KOPP, LANDIS,  
OGAWA.

NOES:

ASERA, BOXER, CHAPMAN,  
DOETSCH, FERRITO, McCOR-  
QUODALE, RUDEE.

ABSENT:

KETCHAM, RAYMOND, ROBERTS,  
SILVER.

In discussion of Mr. McCorquodale's motion, it was proposed that if it passed the effective date would be May 1, 1980 and said increase would be based on the 1977 base salary.

After further discussion of the salary on which the increase would be based, Mr. Doetsch moved to reconsider Mr. Cooper's substitute motion; seconded by Mr. Asera.

There was discussion as to whether this was an appropriate Executive Session matter, Mr. Powell responding in the affirmative.

Mr. Doetsch's motion then carried on roll call:

AYES:

ASERA, BACCIOLLA, COOPER,  
CORTESE, DOETSCH, HASSEL-  
TINE, KOPP, LANDIS, OGAWA.

NOES:

BOXER, CHAPMAN, FERRITO,  
McCORMICK, RUDEE.

ABSENT:

KETCHAM, RAYMOND, ROBERTS,  
SILVER.

Mr. Cooper's substitute motion then carried on roll call:

AYES:

ASERA, BACCIOLLA, COOPER,  
CORTESE, DOETSCH, HASSEL-  
TINE, KOPP, LANDIS, OGAWA.

NOES:

BOXER, CHAPMAN, FERRITO,  
McCORMICK, RUDEE.

ABSENT:

KETCHAM, RAYMOND, ROBERTS,  
SILVER.

#### CHAIRPERSON'S REPORT

Barbara Boxer

Chairperson Boxer advised that the ARB would hold a public hearing on April 24, 1980 to consider making the District Co-Lead Agency with ABAG, in the Crystal Ballroom of the San Franciscan Hotel, and she urged all Directors to attend.

- - -

Mr. Asera moved the adoption of Resolution No. 1225 In the Matter of

; seconded by Dr. Baciocco;  
carried on unanimous voice vote.

#### BOARD MEMBERS' COMMENTS

Mr. Kopp advised that Mr. Powell had furnished him a memorandum on the matter of whether Directors can abstain from voting, suggesting that this matter be put on the Agenda for discussion.

After discussion, Chairperson Boxer referred the matter to the Executive Committee.

The Board went into Executive Session at 11:25 a.m., and reconvened at 11:45 a.m. The following were present:

ASERA, BACCIOLLA, BOXER, CHAPMAN, COOPER, CORTESE, DOETSCH,  
FERRITO, HASSELTINE, KOPP, LANDIS, McCORMICK, OGAWA,  
RUDEE.

Mr. Ferrito moved that the Board grant the Beaman Parity in Table II of the APCO's report dated April 10, 1980, for Non-Management

employees; seconded by Mr. McCorquodale; failed on roll call:

AYES:

ASERA, BOXER, CHAPMAN,  
DOETSCH, FERRITO, HASSEL-  
TINE, McCORQUODALE, RUDEE.

NOES:

BACCIOLLOCO, COOPER, CORTESE,  
KOPP, LANDIS, OGAWA.

ABSENT:

KETCHAM, RAYMOND, ROBERTS,  
SILVER.

Mr. Kopp moved that the APCO be instructed to carry out a survey of comparable prevailing wages paid people in the same classification as the classifications that have been authorized for the District and to report within 30 days; that such report shall be acted on by the Board and where it is established that classifications are under the prevailing wage that any increases that are granted be retroactive to May 1, 1980; cost for said survey not to exceed \$10,000; seconded by Mr. Ogawa.

Mr. Cooper moved an amendment, that the retroactive payment apply provided agreement on the MOU is reached within four months from today, which amendment was acceptable to Messrs. Kopp and Ogawa. The motion then carried on roll call:

AYES:

ASERA, BACCIOLLOCO, BOXER,  
CHAPMAN, COOPER, CORTESE,  
DOETSCH, HASSELTINE, KOPP,  
LANDIS, McCORQUODALE, OGAWA,  
RUDEE.

NOES:

FERRITO.

ABSENT:

KETCHAM, RAYMOND, ROBERTS,  
SILVER.

OTHER

The following reports were presented:

Board Referrals to Advisory Council dated March 19, 1980.

Copy of letter from Supervisor Susanne Wilson, President, ABAG to Governor Brown, dated April 2, 1980.

TIME AND PLACE OF NEXT MEETING

9:30 a.m., Wednesday, May 7, 1980, 939 Ellis Street, San Francisco, California.

Chairperson Boxer stated the meeting would be adjourned in memory of District employee James Murphy who was killed while bicycle riding and Advisory Council member Dr. William Duewer who drowned at Pt. Reyes.

The meeting adjourned at 11:55 a.m.

Respectfully submitted,

Mabel Harder  
Clerk of the District

MH:pk



A1581

BAY AREA AIR QUALITY MANAGEMENT DISTRICT  
939 Ellis Street  
San Francisco, California 94109  
771-6000

ENVIRONMENTAL  
COUNCIL  
CARY

May 7, 1980

BOARD OF DIRECTORS REGULAR MEETING

UNIVERSITY OF CALIFORNIA

Wednesday  
May 7, 1980  
9:30 A.M.

939 Ellis Street  
San Francisco  
California 94109

M I N U T E S

BOARD MEMBERS PRESENT:

Edward J. Bacciocco, Jr.,  
Barbara Boxer, Sam Chapman,  
Fred F. Cooper, Dominic L.  
Cortese, Emanuele N. Damonte,  
Ralph P. Doetsch, Sr., Eric H.  
Hasseltine, L. N. "Judge" Landis,  
Daniel A. McCorquodale, Frank H.  
Ogawa, Valerie Raymond, Verne  
L. Roberts, Helen B. Rudee,  
Carol Ruth Silver.

BOARD MEMBERS ABSENT:

Larry Asara, Thomas J. Ferrito,  
Quentin Kopp.

ADVISORY COUNCIL  
MEMBERS PRESENT:

Jack C. Oppenheimer, Chairperson;  
Kong Meng Tan.

STAFF MEMBERS PRESENT:

Milton Feldstein, Thomas F. Bell,  
Hulan F. Brinkley, Daniel Goalwin,  
Dario Levaggi, Edward W. McHugh,  
John F. Powell, Lewis H. Robinson,  
Mabel Harder.

- - -

Chairperson Boxer called the meeting to order at 9:40 A.M. She welcomed City Councilperson Emanuele N. Damonte, South San Francisco, as the new Director replacing Mrs. Ketcham.

PUBLIC PRESENTATION

There were none.

APPROVAL OF MINUTES OF APRIL 16, 1980

Ms. Harder requested a correction on page 7, paragraph 10, line 2, to read:

Matter of Expressing the Appreciation of the Board of Directors of the BAAQMD for the Service of Pamela Ketcham.

COMMUNICATIONS

Thomas J. Ferrito, Secretary

The following communications were presented:

Air Resources Board

Notice of public meeting on April 24, 1980 with respect to change in designation of Nonattainment Area Lead Agencies for the San Francisco Bay Area.

William L Abalona  
Ochoa, Holderness, Barbosa & Kirk

writing on behalf of I. T. Corporation, requesting the Personnel Committee to take its complaint off the April 16 Agenda, and requesting that the Committee advise as to the procedure to be followed in dealing with its complaint.

Kenneth A. Manaster, Chairperson

copy of the Hearing Board's decision with respect to the Appeal of Citizens for a Better Environment, et al, with respect to Wickland Oil Company.

D. L. Thomsen, Jr., President  
SIMS

expressing appreciation for the Board's Resolution.

Michael Mitchell  
Auditor-Controller  
County of Marin

submitting the necessary budget forms for the 1980-81 fiscal year.

## DIVISION MONTHLY REPORTS

The following reports were presented:

Director of Enforcement Monthly Activity Report March 21, 1980 through April 20, 1980; Director of Permit Services Division Monthly Activity Report March 21, 1980 to April 20, 1980; Director of Planning Monthly Activity Report March 19 to April 22, 1980; Director of Public Information Monthly Activity Report - March 26, 1980 - April 22, 1980; Status of Legal Matters: March 25, 1980 to April 25, 1980; Director of Administrative Services Appropriations Statement and Cash Position - March 31, 1980.

## TRANSFER OF FUNDS

The APCO's report entitled, Transfer of Funds, dated April 29, 1980, was presented.

Adopted Resolution No. 1226, In the Matter of Authorizing Certain Transfers of Funds.

## REPORT OF REFUNDS

The APCO's report entitled, Refunds, dated April 29, 1980, was presented.

## REDEVELOPMENT LEASE

The APCO's report entitled, Redevelopment Lease, dated April 29, 1980, was presented.

POSTPONEMENT PUBLIC HEARING TO CONSIDER CONTROL OF EMISSIONS FROM PUMP AND COMPRESSOR SEALS AT PETROLEUM REFINERIES (REG. 8, RULE 25) TO JUNE 4, 1980

The APCO's report entitled, Postponement of Public Hearing on Pump and Compressor Seals at Petroleum Refineries, dated April 29, 1980, was presented.

## APPROVAL OF CONTRACT FOR SO<sub>2</sub> STUDY - PHASE II

The APCO's report entitled, Revised Contract to Complete SO<sub>2</sub> Modeling Study, dated April 30, 1980, was presented.

Adopted Resolution No. 1227, Approval of Revised Agreement for SO<sub>2</sub> Modeling Study.

## APPROVAL OF CONTRACTS

### ABAG Energy Study

The APCO's report entitled, Approval of Contract with ABAG for

Energy Study Funded by EPA, dated May 1, 1980, was presented.

Adopted Resolution No. 1228, In the Matter of Approving Contract with ABAG for Energy Study Funded by EPA.

Salary Survey Contractor

The APCO's report entitled, Contract for Salary Survey, dated April 29, 1980, was presented.

Adopted Resolution No. 1229, In the Matter of Authorizing the Air Pollution Control Officer to Execute a Contract Providing for a Salary Survey.

The above Consent Calendar items carried on unanimous voice vote, as follows:

AYES:

BACCIOLCCO, BOXER, CHAPMAN, CORTESE,  
DAMONTE, DOETSCH, LANDIS, McCORQUODALE,  
OGAWA, ROBERTS, RUDEE.

NOES:

NONE.

ABSENT:

ASERA, COOPER, FERRITO, HASSELTINE,  
KOPP, RAYMOND, SILVER.

EXECUTIVE SESSION TO DISCUSS LITIGATION

Mr. Feldstein advised that this had been cancelled.

REPORT OF PERSONNEL COMMITTEE  
Thomas J. Ferrito, Chairperson

In the absence of Chairperson Ferrito, Dr. Bacciocco reported that the Committee met on April 16 to consider the request of I.T. Corporation with respect to the District's enforcement procedures, but that I.T. Corporation had requested that its complaint be taken off the Agenda until they could be advised as to the procedures to be followed.

PUBLIC HEARING TO CONSIDER CONTROL OF EMISSIONS FROM  
MAGNET WIRE COATING OPERATIONS (REG. 8, RULE 26)

Mr. Hess reviewed the APCO's report entitled, The Control of Emissions from the Coating of Magnet Wire, Regulation 8, Rule 26, dated April 29, 1980.

Chairperson Boxer opened the public hearing at 9:51 A.M.

Mr. Powell presented the Clerk with 9 Affidavits of Publication of Notice of Public Hearings.

There were no presentations.

Mr. Landis moved the public hearing be closed at 9:52 A.M.;

seconded by Mr. Ogawa; carried.

Mr. Chapman moved the adoption of Resolution No. 1230, In the Matter of Adopting Regulation 8, Rule 26 Relating to the Control of Emissions from the Coating of Magnet Wire; seconded by Mr. Roberts; carried unanimously on voice vote, as follows:

AYES:

BACCIOLCCO, BOXER, CHAPMAN, CORTESE,  
DAMONTE, DOETSCH, LANDIS, McCORQUODALE,  
OGAWA, ROBERTS, RUDEE.

NOES:

NONE.

ABSENT:

ASERA, COOPER, FERRITO, HASSELTINE,  
KOPP, RAYMOND, SILVER.

Directors Cooper and Raymond arrived at 9:55 A.M.

PUBLIC HEARING TO CONSIDER AMENDMENTS TO  
REGULATION 2, RULE 2 CONCERNING BANKING (COMMUNITY  
BANKING, PUBLIC APPEAL, MORATORIUM AND PLANT SHUT-DOWNS)

Mr. Feldstein reviewed his report entitled, Amendments to Banking Regulation, dated April 30, 1980, specifically Table I.

Ms. Silver arrived at 10:00 A.M.

He reviewed the language changes supporting the Staff's recommendations.

In discussion of Mr. Cooper's concern about the change in the Appeal process, Mr. Powell advised that in the present proposal the Appeal procedure would start after the Certificate of Banking had been issued. After discussion of this procedure, the Board agreed that the APCO should announce his intent to grant a Certificate at which time the Appeal procedure would start, rather than after the Certificate is issued and that the regulation should be so amended.

Dr. Hasseltine arrived at 10:11 A.M.

Mr. Feldstein reviewed the Staff's objections to CBE's proposal on restricting use of shutdowns for banking, as well as the Staff's opposition to the Bay Area Council proposal on moratoriums.

Chairperson Boxer opened the public hearing at 10:22 A.M.

Mr. Powell presented the Clerk with 9 Affidavits of Publication of Notice of Public Hearings.

The following made presentations:

Jeff Gabe  
Citizens for a Better Environment

reviewed his proposal with respect to banking of emissions from

shutdowns, stating reductions should be real ones and not be double counted.

There was discussion on the double counting of emissions; the need to meet the RFP and the suggestion of crediting one half of the emissions banked.

Mr. Gabe reviewed his proposal on community banking, stating it would encourage new economic development.

Nancy Matthews  
ARB

supported the Staff's recommendations; suggested with respect to shutdowns that the baseline of emissions be that which would have been produced if LAER had been used, thus preventing double counting; supported the idea of community banking.

Tom Merle  
Bay Area Council

reviewed the banking concept and how it revolved; reviewed their proposal on the moratorium and the reasons therefor, stating that sources needed to be encouraged to deposit in the bank but there was reluctance to do so based on the Staff's proposal.

There was considerable Board discussion on this concern.

Mr. Merle spoke to CBE's shutdown proposal, stating that shutdowns were not factored into the AQMP; that National trends were used.

Mr. Merle supported the concept of Community banking, but suggested the proposal be tabled until experience on the Banking regulation had been gained.

Frank Stead

objected to the inclusion of the phrase in section 2-2-307, "or the approved air quality management plan" recommending that any reference to AQMP be deleted and that the regulation be restricted to fix emissions.

Don F. McKenzie  
Pacific Gas and Electric Company

supported the Bay Area Council objection to a moratorium for withdrawals; supported the Staff's opposition to CBE's shutdown and community bank proposals.

Mrs. Raymond moved the public hearing be closed at 11:40 A.M.; seconded by Dr. Hasseltine; carried.

Dr. Hasseltine moved to adopt the Bay Area Council's language on no moratorium on withdrawals, Section 2-2-308; seconded by Mr. Cooper.

There was discussion on including in the motion a concept of a moratorium on deposits, which was acceptable to Dr. Hasseltine.

The motion then carried on roll call:

AYES:

BACCIOCCO, BOXER, COOPER, CORTESE, DAMONTE, DOETSCH, HASSELTINE, LANDIS, McCORQUODALE, OGAWA, RAYMOND, ROBERTS, RUDEE, SILVER.

NOES:

CHAPMAN.

ABSENT:

ASERA, FERRITO, KOPP.

Mr. Raymond moved the adoption in concept with respect to the use of shutdowns for Banking that the source be given credit for the difference between use of Reasonable Available Control Technology and zero; seconded by Mr. Landis; carried on roll call:

AYES:

BACCIOCCO, BOXER, CHAPMAN, CORTESE, DAMONTE, DOETSCH, HASSELTINE, LANDIS, McCORQUODALE, OGAWA, RAYMOND, ROBERTS, RUDEE, SILVER.

NOES:

COOPER.

ABSENT:

ASERA, FERRITO, KOPP.

Mr. Chapman moved a change in the Bay Area Council proposed Section 2-2-308 on moratoriums, to change "may" in line 4 to "shall"; seconded by Mr. McCorquodale.

There was discussion on the desirability of the APCO having the flexibility of bringing the concern of RFP to the Board rather than automatically closing the Bank; that other regulations may have to be adopted rather than declaring a moratorium on the Bank; that either way the APCO would be consulting with the Board before declaring a moratorium.

The motion failed on roll call:

AYES:

BACCIOCCO, BOXER, CHAPMAN, McCORQUODALE, RUDEE.

NOES:

COOPER, CORTESE, DAMONTE, DOETSCH, HASSELTINE, LANDIS, OGAWA, RAYMOND, ROBERTS, SILVER.

ABSENT:

ASERA, FERRITO, KOPP.

Mr. Cooper moved the adoption of the proposal to Notify persons requesting information on banking transactions by mail; seconded by Dr. Hasseltine; carried on unanimous voice vote, with Directors Asera, Ferrito and Kopp absent.

Mr. Cooper moved the adoption in concept a section to Allow any person to appeal Banking decisions to the Hearing Board, but changing the Appeal procedure so that interested persons would be appealing prior to the final Certificate being issued by the APCO; seconded by Mr. Chapman; carried on roll call:

AYES:

BACCIOCCO, BOXER, CHAPMAN, COOPER,  
CORTESE, DAMONTE, DOETSCH, HASSELTINE,  
LANDIS, McCORQUODALE, OGAWA, RAYMOND,  
ROBERTS, RUDEE, SILVER.

NOES:

NONE.

ABSENT:

ASERA, FERRITO, KOPP.

Mr. Cooper moved to deny at this time the establishment of a Community Bank, and requesting a report on May 7, 1981 as to how the Banking program is working; seconded by Mr. Landis; carried on voice vote with Directors Chapman, Hasseltine, McCorquodale and Silver voting no; and Directors Asera, Ferrito, and Kopp absent.

Ms. Silver objected to the motion on the Community Bank and the process of its adoption, after which Mr. Cooper suggested that she send a letter on the matter prior to the next Board meeting on May 21, at which time if she wanted to make a motion to rescind it, this could be done.

REPORT OF AIR POLLUTION CONTROL OFFICER  
Milton Feldstein

Co-Lead Agency Status

Messrs. Feldstein and Landis reviewed the ARB hearing on April 24, 1980 at which the District was appointed Co-Lead agency effective in 60 days.

Progress Report on Salary Survey

Mr. Feldstein advised that Ralph Anderson & Associates would be performing the Study.

Legislative Report

Mr. Feldstein presented two comparisons on the Calvo (AB-2145) and Foran (SB-84) bills on the Inspection and Maintenance Program, and Auto Emission Standards, advising that Staff had met with

the ABAG Staff who had agreed to support the Calvo bill.

Chairperson Boxer advised that she had met with Mrs. Mary Nichols, Chairperson of the ARB, with respect thereto.

After discussion, Mr. Chapman moved that the Board support the latest version of the Calvo bill; seconded by Dr. Bacciocco; carried unanimously on voice vote, with Directors Asera, Ferrito and Kopp absent.

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Mr. Feldstein reported on the Hearing Board's decision on CBE's Appeal with respect to the permit issued to Wickland Oil Company, stating that the District would petition the Hearing Board for a reconsideration of the decision.

CHAIRPERSON'S REPORT  
Barbara Boxer

There was no report.

BOARD MEMBER'S COMMENTS

There were no comments.

TIME AND PLACE OF NEXT MEETING

9:30 A.M., Wednesday, May 21, 1980, 939 Ellis Street, San Francisco, California.

The meeting adjourned at 12:20 P.M.

Respectfully submitted,

Mabel Harder  
Clerk of the District

MH:pk

